

2:1 Slope (Max)
 Elev. 78.0
 Elev. 78.5
 Elev. 72.5
 10" Perf. CMP (Where Shown in Plan)
 * Bottom 2 feet of trench to consist of MSHA #2 Stone wrapped in filter cloth. Remaining foot to be backfilled with #2 Stone.
 ** End of 10" CMP is to be Permanently Plugged

NOTE:

1. All roof drains, from both existing and proposed sanctuary, are to drain into proposed stone trench.
2. Sheet flow for new parking lot is to be maintained as shown on plan.

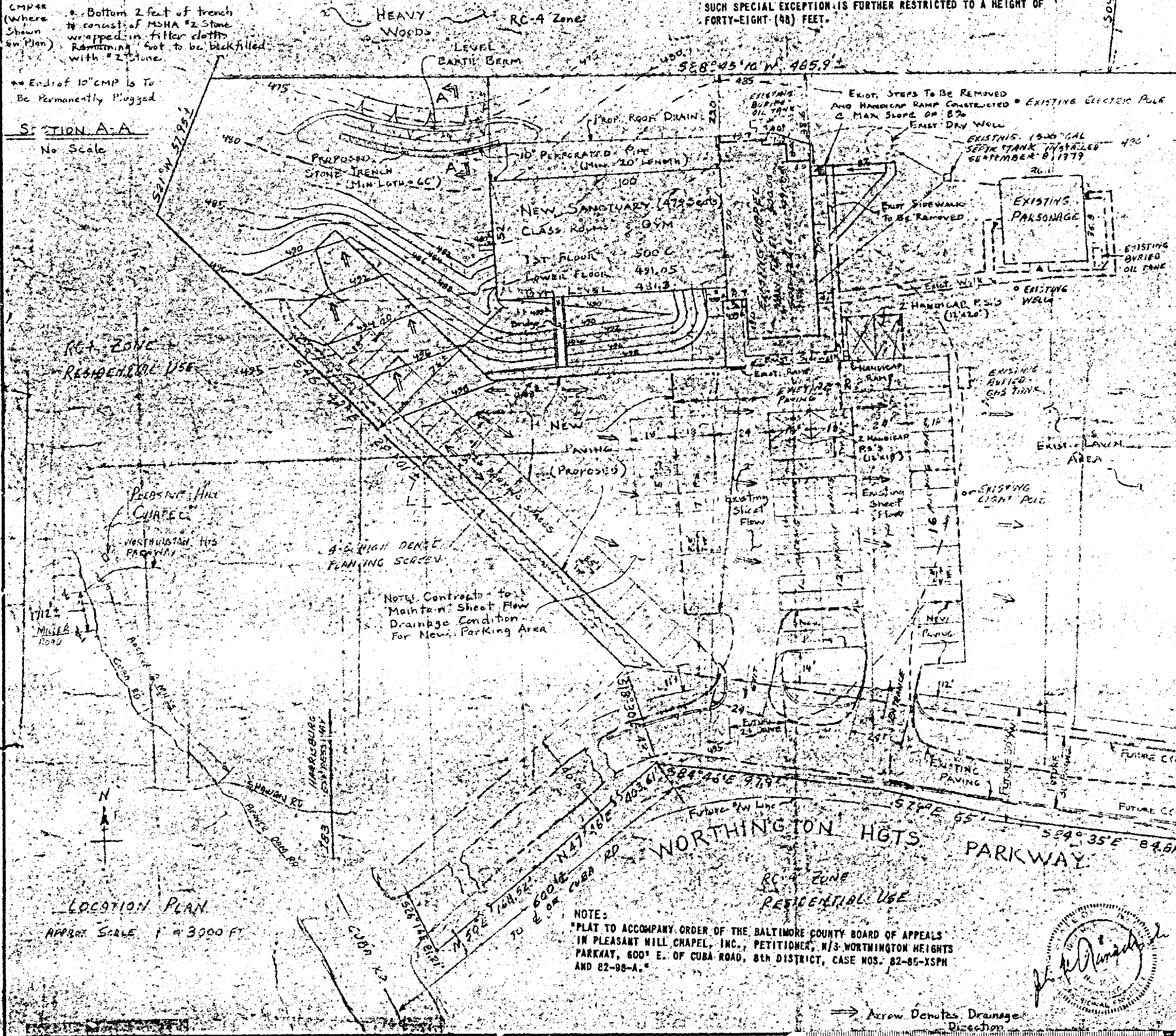
NOTE: RESTRICTION PER ORDER OF THE COUNTY BOARD OF APPEALS CASE #82-85-XSPM CASE NO. 82-93-A SUBJECT TO THOSE TERMS, CONDITIONS AND RESTRICTIONS STATED IN THE AMENDED SITE PLAN, REVISED MOST RECENTLY OCTOBER 5, 1982, AND CONTINGENT UPON THE PERPETUAL MAINTENANCE OF SUCH TERMS, CONDITIONS AND RESTRICTIONS WITHOUT LIMITATION. ADDITIONALLY, SUCH SPECIAL EXCEPTION IS GRANTED ONLY SO LONG AS THE DEED OF EASEMENT OF SEPTEMBER 15, 1982, BETWEEN LESTER N. ROBINSON AND DORIS E. ROBINSON AND PLEASANT HILL CHAPEL, INC. IS NOT LIMITED OR RESTRICTED IN ANY MANNER, OR UNTIL EXTINGUISHED IN PART OR IN WHOLE BY A LATER ORDER OF THE COUNTY BOARD OF APPEALS, AS PROVIDED IN THE DEED OF EASEMENT. SUCH SPECIAL EXCEPTION IS FURTHER RESTRICTED TO A HEIGHT OF FORTY-EIGHT (48) FEET.

LESTER N. ROBINSON & WF
 WJR. 3672/119
 8.030 AC

RESTRICTION EASEMENT
 FOR PLEASANT HILL CHAPEL
 4.97 AC ±
 (See Plat Dated July 16, 1992)

Revised 7-83
 567° 27' 00" E
 567° 12' 00" E

PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY David Flowers
 PLANNING
 DATE 7-12-83
 BY John W. Ranocchia, Jr.
 ZONING COMMISSIONER
 DATE 7/14/83



RC-4 ZONE
 RESIDENTIAL USE

TOTAL SITE AREA: 2.88 AC
 EXIST. IMPERVIOUS AREA: 1.00 AC
 PROP. ADDITIONAL IMP. AREA: 1.88 AC

PARKING DATA
 1 SPACE PER 6 SEAT
 479 SEATS = 80 PARK SPACES REQ.
 EXISTING: 49 PARKING SPACES
 ADDITIONAL: 31 PARKING SPACES
 TOTAL: 80 PARKING SPACES
 (Including 4 Handicap P.S.)

NOTE:
 RADIOGRAPHIC INFORMATION FOR THIS SITE PLAN WAS TAKEN FOR DESIGN PURPOSES BY BUCHART ASSOCIATES, INC. IN 1982. (PROBABLY SURVEY OF THAT DATE). ANY NEW CHURCH, BUILDING, DRIVE, ETC., ETC., MUST BE MADE BY JOHN W. RANOCCHIA, JR., SURVEYOR, NO. 1530 E. BAYVIEW BLVD., BALTIMORE, MD. 21214. PROPERTY LINE TAKEN FROM DEED DATED JULY 15, 1955, LIBER. 6.66 NO. 2387-40-27. E.I.N. MAIN PLAT OF 300' X 300' E.I.N. 1.500.00 ASSUMED.

SITE PLAN
 PLEASANT HILL CHAPEL
 SCALE: 1" = 30.0'
 DATE: 2-22-81
 APPROVED BY: JOHN W. RANOCCHIA, JR.
 DRAWN BY: GILLARD
 REVISION: 5-13-81
 1300 WORTHINGTON HEIGHTS PARKWAY, Box 4242
 COCKEYSVILLE, MARYLAND, 21030
 PHONE: 272-2222
 DRAINAGE NUMBER: 11.0

Arrow Denotes Drainage Direction

AND the said parties of the first part hereby covenants that they have not done nor suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed except as hereinabove stated.

Should the Grantee acquire any additional and/or adjoining property in fee simple, that will satisfy the requirements of BCZR1A034B5, it is the intention of the Grantor and the Grantee that the easement granted herein may be extinguished, subject to the Order of the County Board of Appeals as hereinafter agreed.

Should the Grantee cease to operate the Pleasant Hill Chapel facility hereinbefore described for church purposes, or transfer the facility to another religious denomination or organization, then it is the intent of the party hereto that the easement granted herein may be extinguished, subject to the order of the County Board of Appeals as hereinafter agreed.

AND the parties to this agreement do hereby covenant that the conditions of this easement shall not be amended or abandoned by them or their successors until further Order of the County Board of Appeals.

The Grantee joins herein to acknowledge its agreement and consent to the terms and conditions herein stated.

AS WITNESS the hand and seal of said Grantors.

WITNESS:

H. Wayne Brant Lester N. Robinson (SEAL)
LESTER N. ROBINSON, Grantor
H. Wayne Brant Doris E. Robinson (SEAL)
DORIS E. ROBINSON, Grantor

ATTEST:

Nelson J. Wisner (SEAL)
JOHN SHAFER, Vice Chairman
PLEASANT HILL CHAPEL

STATE OF MARYLAND
COUNTY OF

I HEREBY certify that on this 15th day of September,

-4-

1982, before the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared Lester N. Robinson and Doris E. Robinson, his wife, who made and acknowledged the foregoing grant of easement to be their act and at the same time also appeared John Shaffer, Vice President of the Grantee and by virtue of the power and authority granted unto him by the Board of Directors of said Grantee acknowledged the Grantee consent to the terms and conditions of the within easement.

Bill J. Clemente
Notary Public

My Commission Expires: July 1, 1986

-5-

BALTIMORE COUNTY, MARYLAND
Office of Finance - Revenue Division

REAL PROPERTY TRANSFER -- CONSIDERATION AFFIDAVIT
Complete affidavit -- original and 1 copy -- for each instrument other than mortgage or deed of trust (with or without consideration). Sign and return both copies.

In compliance with Baltimore County Code Title 11, Article IX, Sections 11-69 through 11-82, as amended, it is certified that an instrument described below, representing a transfer of real property including, but not limited to, fee simple estate, leasehold estate, limited estate and legal or equitable interests in real property, is offered for record in Baltimore County. The subject property is identified as follows:

Property Account # EASEMENT Prior Deed Reference: Liber WTR 426 Folio 2179

Date of Instrument _____ Amount of Mortgage \$ _____

Documents Presented _____ Other (Cash, etc.) \$ _____

☐ Deed ☐ Agreement Total Consideration \$ NONE *
☐ Deed of Trust ☐ Mortgage OR Assessed Factor \$ _____ *
☐ Contract ☐ Lease over 7 yrs. Exempt Status Claimed Per Baltimore County Code _____
☐ Other ☒ Right-of-way or Easement Agreement *Total consideration is transfer tax base.

Person offering instrument for recording: Transferred property known as:
Name Pleasant Hill Chapel
Title Co. _____
or Firm Any _____
Phone 828 9257
Address 305 W. Calver Ave. 2124 Grantee Pleasant Hill Chapel
Grantor: Lester N. & Doris E. Robinson Mailing Address _____

I HEREBY CERTIFY, under the penalties of perjury that the information given above is true to the best of my personal knowledge and belief.
Signed [Signature] Date 10-11-82 IMPORTANT!
YELLOW COPY MUST BE RECORDED WITH INSTRUMENT IF TRUE CONSIDERATION IS NOT RECITED.

OFFICE OF FINANCE USE ONLY:
Agent SS Amount \$ None Invoice # _____ Date 10/11/82
Tax Bill _____ C. B. Credit _____ Other Credit _____
Comments _____

IN THE MATTER OF THE APPLICATION OF PLEASANT HILL CHAPEL, INC. FOR SPECIAL EXCEPTION for an addition to be used as a community building, and FOR SPECIAL HEARING to determine if this addition can be considered a community building, and FOR VARIANCE to allow more than 1 % of subject property to be covered by impermeable surfaces including structures and pavement :
COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY :
No. 82-85-XSPH :
and :
No. 82-98-A :

OPINION

This matter comes before the Board following a hearing before the Zoning Commissioner wherein the Petitioners requested a special exception, a special hearing and a variance from certain requirements within the Baltimore County Zoning Regulations. During the course of this petition the Baltimore County Council passed legislation that directly affects the use that is being sought under this requested special exception. Additionally, evidence was presented that specifically addressed an issue of variance that was presented before the Zoning Commissioner of which the Zoning Commissioner did not and could not have had the benefit. Finally, following hearing of this matter and following meetings between People's Counsel and Petitioners, a revised site plan was submitted by Petitioners that addresses a number of other areas and issues that were raised originally during the hearing of this matter. The Board relates these facts and the efforts of the parties as a predicate for two purposes. First, and most importantly, as an indication of their recognition of the Board's strongest and most earnest desire to support and reaffirm the stated legislative policy regarding R.C. 4 zoning in the County's attempt to protect the precious water supplies of metropolitan Baltimore and the neighboring jurisdictions by preventing contamination through unsuitable types or levels of development within the watersheds. To that end the diligence of the People's Counsel and counsel for the Petitioners in resolving the many concerns that the Board raised in our effort to support that legislative policy is greatly appreciated. It should be anticipated that scrutiny of such a nature will occur in the future regarding such environmentally sensitive

PLEASANT HILL CHAPEL, INC. - #82-85-XSPH & 82-98-A

2.

areas when such areas are presented by petition before the Board. Secondly, the Board recognizes that often only at a final administrative hearing are all issues presented and addressed, many of which could be resolved or limited by the parties without a decision by this Board. Such a practice was essential to the limiting of issues in this case and has enabled the Board to resolve this matter in a manner that we believe is beneficial not only to the Petitioners but to the neighborhood and community in which this property is located, and ultimately to the County as a whole. To that end such a practice is both welcomed and encouraged by the Board.

The evidence presented by the Petitioners indicated their simple desire to expand the existing chapel to accommodate their heightened need generated as a result of a considerable population growth in the community presently serviced by the church. Evidence by the Petitioners was very clear that the need presently exists for such an expansion. Unfortunately, due to the geographical location of the church on R.C. 4 zoned land and the logistics of its placement on the parcel owned and operated by Pleasant Hill Chapel, Inc., a number of unusual and highly unique issues were properly presented before the Board. Each of these will be taken separately.

Before the Zoning Commissioner the Petitioners requested a special hearing for the purpose of determining whether their proposed use fit within the definition of "community building" as could be permitted by special exception in the Baltimore County Zoning Regulations, Section 1A03.3.B.3. The Zoning Commissioner was of the opinion, and the Board agrees, that a community building is distinct from a church or other building for religious worship. Nevertheless, this issue was rendered moot before this Board following the enactment of Bill #45-82 wherein the Baltimore County Council amended those uses permitted by special exception in an R.C. 4 zone so as to specifically include "churches and other buildings for religious worship". At the hearing regarding the subject property People's Counsel admitted that the use requested by the Petitioners was for a church or other building for religious worship, and thus any question as to the Board's jurisdiction to entertain a request for special exception in this case has been overcome.

PLEASANT HILL CHAPEL, INC. - #82-85-XSPH & 82-98-A

3.

With regard to the Petitioners' request for special exception, the Board, of course, is guided by the requirements of Section 502 of the Baltimore County Zoning Regulations. It should be noted that Section 502.1 was also amended in Bill #45-82 so as to provide an even more onerous burden upon Petitioners requesting a special exception. The Board recognizes these additional requirements and considered them seriously in reaching this opinion. In support of their argument for special exception, Petitioners presented Reverend Charles Peterson, Pastor of the Pleasant Hill Chapel congregation, Mr. Nelson Wisner, Chairman of the Building Committee for the church, and Mr. John Ranocchia, a registered professional engineer. The specifics of the testimony by these witnesses will not be related in this Opinion, rather the Board will let the record speak for itself. The substance of the testimony from these witnesses, most especially Mr. Ranocchia who was qualified to present a professional opinion regarding the petition's compliance with the Zoning Regulations, was that the requirements stated in Section 502.1 of the Zoning Regulations would be met by the proposed use of the subject property in accordance with the requested petition.

People's Counsel presented Paul Solomon, an environmental planner for Baltimore County, whose expertise in watershed protection is well-known to this Board. Mr. Solomon's testimony focused on the relationship between impervious cover and pollutants at or near critical parts of the watershed. Most specifically Mr. Solomon addressed those requirements found in Section 1A03.4.B.5 of the Baltimore County Zoning Regulations which require no more than ten percent of any lot in an R.C. 4 zone to be covered by impermeable surfaces and no more than twenty-five percent of the natural vegetation to be removed from any lot in an R.C. 4 zone.

Upon the basis of Mr. Solomon's testimony, Petitioners requested that the hearing be continued for the purpose of submitting a revised site plan that would address the points raised by Mr. Solomon as well as other evidence regarding Section 1A03.4.B.5. Amongst the evidence later presented by the Petitioners was a Deed of Easement dated September 15, 1982, between Lester N. Robinson and Doris E. Robinson, adjacent property owners to the Pleasant Hill Chapel, as Grantors and Pleasant Hill Chapel as Grantee.

PLEASANT HILL CHAPEL, INC. - #82-85-XSPH & 82-98-A

4.

Under said grant Pleasant Hill Chapel is permitted an easement of 4.97 acres owned by the Robinsons for use by the church for church purposes, reserving unto the Robinsons the right to use said premises for general farming purposes but not as to interfere with church uses, provided however that the parcel will not be improved under any circumstances by an impervious surface. Such parcel of land granted by a perpetual easement (subject to further order of the County Board of Appeals as provided in said easement), in addition to the existing 2.88 acres of property under the subject petition, totals sufficient acreage such that the total improvements as anticipated by the petition for special exception meet the requirements of Section 1A03.4.B.5 to the satisfaction of the Board under these most unusual of circumstances. This easement, together with the amended site plan revised latest on October 5, 1982, enabled Mr. Solomon to conclude in a memorandum to People's Counsel, "I am satisfied that, if these features are designed, maintained, and constructed properly, there will be no adverse water quality impact from the proposed addition to Pleasant Hill Chapel." Said memorandum, dated October 8, 1982, the original of which was presented to the Board by counsel for the Petitioners will be marked by the Board as an exhibit in this petition.

Based upon the evidence described above and testimony elicited at the hearing, the Board is of the opinion that the requirements of Section 502 have been met and that the special exception should be granted, subject to the restrictions contained in the following Order.

Additionally presented at the hearing was evidence that the existing chapel is 29 feet from the rear property line and thus a variance from the 50 foot setback requirement was requested by the Petitioners. Based upon the evidence presented at the hearing, the Board is of the opinion that strict compliance of this setback requirement would result in practical difficulty and unreasonable hardship to the Petitioners, and that in granting such a variance to permit a rear yard setback of 29 feet is in harmony with the spirit and intent of the Zoning Regulations and that such a variance will not substantially injure the public health, safety and general welfare.

PLEASANT HILL CHAPEL, INC. - #82-85-XSPH & 82-98-A

5.

Finally, an issue was raised as to the proposed height of the petitioned church expansion. Section 1A03.4.A indicates that no structure erected in an R.C. 4 zone shall exceed a height of 35 feet. Section 300.2, however, provides an exception to this requirement which permits buildings for religious purposes to be built to a height of 50 feet in any zone in which they are permitted. Petitioners have submitted a site plan that indicates a total height of no greater than 48 feet and will, therefore, be limited to such height based upon the Board's approval of the special exception within the terms, restrictions and conditions of the amended site plan.

All issues and matters presented, heard and considered by the Board, we make the following Order.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 16th day of November, 1982, by the County Board of Appeals, ORDERED that the issue as to the special hearing wherein the Zoning Commissioner of Baltimore County defined "community buildings" having been obviated by the enactment of Bill #45-82, the Board restrains from deciding as that issue is now moot; and it is

FURTHER ORDERED that the special exception petitioned for be and the same is hereby GRANTED, subject to those terms, conditions and restrictions stated in the amended site plan, revised most recently October 5, 1982, and contingent upon the perpetual maintenance of such terms, conditions and restrictions without limitation. Additionally, such special exception is granted only so long as the Deed of Easement of September 15, 1982, between Lester N. Robinson and Doris E. Robinson and Pleasant Hill Chapel, Inc. is not limited or restricted in any manner, or until extinguished in part or in whole by a later Order of the County Board of Appeals, as provided in the Deed of Easement. Such special exception is further restricted to a height of forty-eight (48) feet; and it is

FURTHER ORDERED that the variance petitioned for to permit a rear yard setback of twenty-nine (29) feet in lieu of the fifty (50) foot setback requirement be and

the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Rules 3-1 thru 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Keith S. Franz, Acting Chairman

Joanne L. Suder

William R. Evans

494-1180

County Board of Appeals
Room 218, Court House
Towson, Maryland 21204

January 8, 1982

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 82-85-XSPH

PLEASANT HILL CHAPEL, INC.

for SE - For an addition to be used as a community building, and
for SPH - To determine if this addition can be considered a community building

and

CASE NO. 82-98-A

PLEASANT HILL CHAPEL, INC.

for variance - to allow more than 10% of the subject property to be covered by impermeable surfaces including structures and pavement

N/S Worthington Heights Parkway,
600' E. of Cuba Road

8th District

11/6/81 - Z.C. DENIED BOTH PETITIONS

THURSDAY, FEBRUARY 25, 1982 at 10 a.m.

ASSIGNED FOR:

cc: J. Carroll Holzer, Esquire
Pleasant Hill Chapel, Inc.
David D. Downes, Esquire
Mr. Wiley J. Smith
John W. Hessian, III, Esquire
Mr. W. E. Hammond
Mr. J. E. Dyer
Mr. N. E. Gerber
Mr. J. G. Hoswell

Counsel for Petitioner
Petitioner
Counsel for Protestant
Protestant
People's Counsel

Edith T. Eisenhart, Adm. Secretary

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR SPECIAL HEARING :
N/S of Worthington Heights Parkway, : OF BALTIMORE COUNTY
600' NE of Cuba Rd., 8th District :
PLEASANT HILL CHAPEL, :
Petitioner : Case No. 82-85-XSPH

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 11th day of September, 1981, a copy of the foregoing Order was mailed to J. Carroll Holzer, Esquire, 305 W. Chesapeake Avenue, #100, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hessian, III

CONSTABLE, ALEXANDER DANER & SKEEN

1000 MARYLAND TRUST BUILDING
CALVERT AND REDWOOD STS.
BALTIMORE, MARYLAND 21202
(301) 538-3474
(301) 685-5060
TELEX 710-234-2483 CALDAS

January 13, 1982

WM. PETERSON CONSTABLE

1800 W. 19th

PHILIP J. BOACH

1916-1919

ELTON OFFICE

138 E. MAIN ST.

ELKTON, MD. 21921

1001 308-1844

TOWSON OFFICE

THE CHESAPEAKE BLDG.

305 W. CHESAPEAKE AVE.

TOWSON, MD. 21204

1001 308-9282

PLEASE REPLY TO
Towson

County Board of Appeals
Room 218, Court House
Towson, Maryland 21204

RE: Case #82-85-XSPH and #82-98-A
Pleasant Hill Chapel, Inc.
Trial Date - February 25, 1982 - 10:00 a.m.

Gentlemen:

I have received notification that the above captioned matter is presently scheduled for a hearing on Thursday, February 25, 1982 at 10:00 a.m.

I have been in contact with County Councilman James Smith, who advises me that a Resolution of the Planning Board, which would directly affect the outcome of this case, has been scheduled for a public hearing later in the month of January and will be introduced as proposed amendment to the present County Code in February, 1982. In view of the fact that this proposed legislation may directly effect and/or render moot the issues involved in this case, I would request the Board to grant a postponement of the above captioned hearing date until such time as the Baltimore County Council has acted on the proposed legislation.

BALTIMORE COUNTY
JAN 15 10 24 AM '82
COUNTY CLERK
J. G. HOSWELL

County Board of Appeals
January 13, 1982
Page Two

Thank you very much for your consideration in this request.

Very truly yours,

J. Carroll Holzer

JCH:djm

cc: David D. Downes, Esquire
Counsel for Protestant

Mr. Wiley J. Smith
Protestant

John W. Hessian, III, Esquire
People's Counsel

FINAL Report of the
Baltimore County Planning Board
Adopted November 5, 1981.

PROPOSED AMENDMENTS TO THE BALTIMORE COUNTY ZONING REGULATIONS:
ALLOWANCE OF CHURCHES OR OTHER BUILDINGS FOR RELIGIOUS WORSHIP
IN R.C. 4 ZONES

AND
GRANTING OF SPECIAL EXCEPTIONS IN ACCORDANCE WITH SPIRIT
OF REGULATIONS

Proposed Amendments to the Baltimore County Zoning Regulations:
ALLOWANCE OF CHURCHES OR OTHER BUILDINGS FOR RELIGIOUS WORSHIP IN
R.C. 4 ZONES
and
GRANTING OF SPECIAL EXCEPTIONS IN ACCORDANCE WITH SPIRIT OF REGULATIONS

A Final Report of the Baltimore County Planning Board*

DISCUSSION

The County Council, under resolution No. 25-81, has requested the Planning Board to review the R.C. 4 zoning classification (watershed protection) and recommend an amendment that would make churches allowable by special exception in R.C. 4 zones. Churches and other buildings for religious worship are permitted by special exception in R.C. 2 zones and as of right in R.C. 3 and R.C. 5 zones, but they are not permitted at all in R.C. 4 zones.

The Planning Board has had some misgivings about allowing these uses in R.C. 4 zones. Development and use of a church complex and its parking area could create seriously adverse environmental effects in watershed areas--from clearing of vegetation, from runoff, and from septic-system use.

On the other hand, the R.C. 4 classification was modified in 1979 by, among other things, clarifying the provisions prohibiting coverage of more than 10 per cent of a lot by impermeable surfaces and adding a provision to prohibit removal of more than 25 per cent of the natural vegetation on the lot. In view of those safeguards, the Board now believes it would be appropriate to allow buildings for religious worship in R.C. 4 zones by special exception, and so recommends--assuming that the grant of the special exception would be in keeping with the intent of the R.C. 4 classification. To assure that this assumption is well founded, the Board also recommends that Subsection 502.1 of the Zoning Regulations be amended by adding a statement explicitly relating the grant of any special exception to the spirit of the Regulations. (The Regulations already include a statement to that effect with respect to the granting of variances.)

RECOMMENDATION

The Planning Board recommends that the Baltimore County Zoning Regulations, 1965, as amended, be further amended as set forth below.

1. In Paragraph 1A03.3.8 (uses allowable by special exception in R.C. 4 zones), insert the following item immediately after Item 3:

3A. Churches and other buildings for religious worship

*Adopted November 5, 1981.

- 2 -

2. Revise Subsection 502.1 as follows, by deleting the material in brackets and adding the underscored material:

502.1-- Before any Special Exception [shall] may be granted, it must appear that the use for which the Special Exception is requested will not:

- Be detrimental to the health, safety, or general welfare of the locality involved;
- Tend to create congestion in roads, streets or alleys therein;
- Create a potential hazard from fire, panic or other dangers;
- Tend to overcrowd land and cause undue concentration of population;
- Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences, or improvements;
- Interfere with adequate light and air [.]

g. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations; nor

h. Be inconsistent with the impermeable surface and vegetative retention provisions of these zoning regulations.

Section 1A03—R. C. 4 (WATERSHED PROTECTION) ZONES [Bill Nos. 98-75; 178-79]

1A03.1—Findings and Legislative Policy. [Bill Nos. 98-75; 178-79]

The County Council finds that major, high-quality sources of water supply for the entire Baltimore metropolitan area and for other neighboring jurisdictions lie within Baltimore County and that continuing development in the critical watersheds of those water-supply sources is causing increased pollution and sedimentation in the impoundments, resulting in increasing water-treatment costs and decreasing water-storage capacity. The R. C. 4 zoning classification and its regulations are established to provide for the protection of the water supplies of metropolitan Baltimore and neighboring jurisdictions by preventing contamination through unsuitable types or levels of development in their watersheds. [Bill Nos. 98-75; 178-79]

1A03.2—Rezoning by petition. [Bill Nos. 98-75; 178-79]

No petition for reclassification of property in an R. C. 4 zone may be granted unless a registered professional engineer, architect, landscape architect, or land surveyor first certifies: [Bill Nos. 98-75; 178-79]

1. That the parcel of land under petition lies at least 200 feet from the property line of any public water reservoir; [Bill No. 178-79]
2. That the parcel lies at least 300 feet from any 1st - or 2. 1 order or greater stream that flows directly into a public water reservoir; [Bill No. 178-79]
3. That the parcel lies at least 300 feet from any 3rd - order or greater stream that flows directly or indirectly into a public water reservoir; [Bill No. 178-79]
4. That no more than 30% of the parcel has a slope of more than 20%; [Bill No. 178-79]
5. That the parcel does not lie within a 100-year floodplain; and [Bill No. 178-79]
6. That, as shown by an environmental impact statement, the manner in which proposed reclassification will affect water quality in the watershed or any public water reservoir. [Bill No. 178-79]

For the purpose of this subsection, streams are classified by order as shown on the map of stream orders adopted by the Planning Board on March 25, 1976. [Bill No. 178-79]

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1A03.4 (RC-4)

1A03.4—Height and area regulations. [Bill Nos. 98-75; 178-79]

A. Height. No structure hereafter erected in an R. C. 4 zone shall exceed a height of 35 feet, except as otherwise provided under Section 300. [Bill No. 98-75]

B. Area regulations. [Bill Nos. 98-75; 178-79]

1. No lot less than three acres in area may be hereafter created from a larger tract in an R. C. 4 zone, and no detached single-family dwelling may be hereafter erected on any lot of smaller area except as otherwise provided in Subsection 103.3 or in Paragraph 6, below. [Bill Nos. 98-75; 178-79]

2. Lot density. A lot of record in an R. C. 4 zone with a gross area of less than 6 acres may not be subdivided, and a lot of record with a gross area of 6 acres but not more than 10 acres may not be subdivided into more than 2 lots (total). The maximum gross density of a lot of record with a gross area of more than 10 acres is 0.2 lot per acre. [Bill Nos. 98-75; 178-79]

3. Minimum diametral dimension. The minimum diametral dimension of any lot hereafter created in an R. C. 4 zone shall be 300 feet except as otherwise provided in Paragraph 6 below. [Bill No. 98-75]

4. Building setbacks. Any principal building hereafter constructed in an R. C. 4 zone shall be situated at least 100 feet from the centerline of any street and at least 50 feet from any lot line other than a street line, except as otherwise provided in Paragraph 6, below. [Bill No. 98-75]

5. Coverage. No more than 10 percent of any lot in an R. C. 4 zone may be covered by impermeable surfaces (such as structures or pavement). No more than 25 percent of the natural vegetation may be removed from any lot in an R. C. 4 zone. [Bill Nos. 98-75; 178-79]

6. Exceptions for certain record lots. Any existing lot or parcel of land with boundaries duly recorded among the Land Records of Baltimore County with the approval of the Baltimore County Office of Planning and Zoning on or before the effective date of these zoning regulations and not part of an approved subdivision that cannot meet the minimum standards as provided within the zone, may be approved for residential development in accordance with the standards prescribed and in force at the time of the lot recordation. [Bill No. 98-75]

7. Dwellings per lot. No more than one dwelling is permitted on any lot in an R. C. 4 zone, BUT NOT EXCLUDING ADDITIONAL DWELLINGS FOR BONA FIDE TENANT FARMERS. [Bill No. 98-75]

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CONSTABLE, ALEXANDER, DANER & SKEEN

JOHN D. ALEXANDER
GEORGE W. DANER
JOHN W. SKEEN, JR.
WILLIAM A. SKEEN
THOMAS F. COMBER, JR.
RONALD L. MAHER
WILLIAM F. BLUE
DAVID C. DANER
JAMES W. CONSTABLE
MARK J. DANER
DAVID W. SKEEN
FRANK J. JONES, JR.
J. CARROLL HOLZER
CAROLE S. DEMILLO
JAMES D. SKEEN
W. RAYMOND GROSS
JOSEPH A. DENARD

1000 MARYLAND TRUST BUILDING
CALVERT AND REDWOOD STS.
BALTIMORE, MARYLAND 21202

(301) 538-3474
(301) 685-5060
TELEX 710-734-2483 CALDAS

November 30, 1981

PLEASE REPLY TO
TOWSON

Board of Appeals
Baltimore County
Court House
Towson, Maryland 21204

RE: Pleasant Hill Chapel's Appeal from
Special Hearing #82-85-XSPH
Special Exceptions #82-98-A
Variance #58, Item

Gentlemen:

Please be advised that I represent Pleasant Hill Chapel in the above captioned matter. We have entered an Appeal from Zoning Commission Hammond's decision and would respectfully request the Board to set an immediate hearing concerning these matters in light of the extreme hardship that is being imposed upon the Pleasant Hill Chapel as a result of this issue. Thank you very much for your consideration.

Very truly yours,

J. Carroll Holzer

UCH:djm

cc: Mr. Nelson Wisner

1000 MARYLAND TRUST BUILDING
CALVERT AND REDWOOD STS.
BALTIMORE, MARYLAND 21202
(301) 538-3474
(301) 685-5060
TELEX 710-734-2483 CALDAS

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
April 9, 1982

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 82-85-XSPH PLEASANT HILL CHAPEL, INC.

and

CASE NO. 82-98-A PLEASANT HILL CHAPEL, INC.

for SE - For an addition to be used as a community building, and

for SPH - To determine if this addition can be considered a community building

for variance - to allow more than 10% of the subject property to be covered by impermeable surfaces including structures and pavement

N/S Worthington Heights Parkway,
600' E. of Cuba Road

8th District

11/6/81 - Z.C. DENIED BOTH PETITIONS

ASSIGNED FOR: THURSDAY, APRIL 29, 1982 at 11:30 a.m.

cc: J. Carroll Holzer, Esquire
Pleasant Hill Chapel, Inc.
David D. Downes, Esquire
Mr. Wiley J. Smith
John W. Hession, III, Esquire
Mr. W. E. Hammond
Mr. J. E. Dyer
Mr. N. E. Gerber
Mr. J. G. Hoswell

Counsel for Petitioner
Petitioner
Counsel for Protestant
Protestant
People's Counsel

Edith T. Eisenhart, Adm. Secretary

CONSTABLE, ALEXANDER, DANER & SKEEN

JOHN D. ALEXANDER
GEORGE W. DANER
JOHN W. SKEEN, JR.
WILLIAM A. SKEEN
THOMAS F. COMBER, JR.
RONALD L. MAHER
WILLIAM F. BLUE
DAVID C. DANER
JAMES W. CONSTABLE
MARK J. DANER
DAVID W. SKEEN
FRANK J. JONES, JR.
J. CARROLL HOLZER
CAROLE S. DEMILLO
JAMES D. SKEEN
W. RAYMOND GROSS
JOSEPH A. DENARD

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BALTIMORE, MARYLAND 21202

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(301) 685-5060
TELEX 710-734-2483 CALDAS

April 6, 1982

PLEASE REPLY TO:
TOWSON

Board of Appeals of
Baltimore County
Room 219
Court House
Towson, Maryland 21204

RE: Pleasant Hill Chapel Appeal
Case #82-85-XSPH & #82-98-A

Gentlemen:

Please be advised that on the 13th day of January, 1982, I wrote requesting that this case be continued until such time as the County Council enacted legislation to correct the problem inherent in the case. On Monday, April 5th, 1982, the County Council enacted Bill No. 45-82 which bears directly on this matter. I would appreciate the Board setting this case in for a hearing as quickly as possible in view of financial hardship on the Petitioner which has existed over the past year.

Thank you very much for your consideration.

Very truly yours,

J. Carroll Holzer

UCH:djm

1000 MARYLAND TRUST BUILDING
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BALTIMORE, MARYLAND 21202
(301) 538-3474
(301) 685-5060
TELEX 710-734-2483 CALDAS

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

April 30, 1982

NOTICE OF ASSIGNMENT

CONTINUED HEARING

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 82-85-XSPH PLEASANT HILL CHAPEL, INC.

and

CASE NO. 82-98-A PLEASANT HILL CHAPEL, INC.

for SE - For an addition to be used as a community building

For Variance - to allow more than 10% of the subject property to be covered by impermeable surfaces including structures and pavement

N/S Worthington Heights Parkway
600' E. of Cuba Road

8th District

THURSDAY, MAY 6, 1982 at 4 p.m.

ASSIGNED FOR:

cc: J. Carroll Holzer, Esquire
Pleasant Hill Chapel, Inc.
David D. Downes, Esquire
Mr. Wiley J. Smith
John W. Hession, III, Esquire
Mr. W. E. Hammond
Mr. J. E. Dyer
Mr. N. E. Gerber
Mr. J. G. Hoswell

Counsel for Petitioner
Petitioner
Counsel for Protestant
Protestant
People's Counsel

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

January 19, 1982

NOTICE OF POSTPONEMENT

CASE NO. 82-85-XSPH PLEASANT HILL CHAPEL, INC.

and

CASE NO. 82-98-A PLEASANT HILL CHAPEL, INC.

N/S Worthington Heights Parkway,
600' E. of Cuba Road

8th District

Scheduled for hearing on Thursday, February 25, 1982 at 10 a.m. has been

POSTPONED at the request of counsel for the Petitioner.

cc: J. Carroll Holzer, Esq.

Pleasant Hill Chapel, Inc.

David D. Downes, Esq.

Mr. Wiley J. Smith

John W. Hession, III, Esq.

Mr. W. E. Hammond

Mr. J. E. Dyer

Mr. N. E. Gerber

Mr. J. G. Hoswell

Edith T. Eisenhart, Adm. Secretary

1/8/82 - Notified of appeal hearing scheduled for THURSDAY, FEBRUARY 25, 1982 at 10 a.m.

J. Carroll Holzer, Esq.
Pleasant Hill Chapel, Inc.
Mr. Wiley J. Smith
David D. Downes, Esq.
John W. Hession, III, Esq.
W. E. Hammond
J. E. Dyer
N. E. Gerber
J. G. Hoswell

4/9/82 - Above notified of appeal hearing scheduled for THURSDAY, APRIL 29, 1982 at 11:30 a.m.

4/30/82 - Notified of CONTINUED HEARING scheduled for THURSDAY, MAY 6, 1982 at 4 p.m.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

PETER MAX ZIMMERMAN, Esquire
Deputy Counsel
People's Council Office
Date May 14, 1982
FROM: PAUL J. SOLOMON, Head
Environmental Planning Sec., OPZ
SUBJECT: Pleasant Hill Chapel Zoning Case

This is a response to the request by Attorney Holzer for additional information.

First, you will find attached a zoning map of the area.

Second, based on State of Maryland Regulations 08.05.04.09, Classification of the Waters of the State of Maryland, Western Run and its tributaries are classified as Class III Waters - Natural Trout Waters.

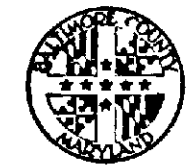
Finally, the Class I stream to which the proposed expansion drains is not shown on the official stream order map for Baltimore County. However, our field survey indicates that this stream does exist as a class one stream. Apparently, an unspecified number of Class I streams are not shown. Further, since this case does not involve a reclassification, this information is not germane.

Please call if you have any questions regarding this information.

PJS:vh

Paul J. Solomon
PAUL J. SOLOMON, Head
Environmental Planning Section

Attachment:
Zoning map of
Pleasant Hill Chapel Zoning Case



Baltimore County, Maryland

PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204

JOHN W. HESSIAN, III
People's Counsel
PETER MAX ZIMMERMAN
Deputy People's Counsel

TEL. 494-2188

May 19, 1982

Keith S. Franz, Esquire
County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

RE: Pleasant Hill Chapel, Inc., Petitioner
Zoning Cases 82-85-XSPH & 82-98-A

Dear Mr. Franz:

In order to supplement the record in the above-entitled case as requested, enclosed please find:

1. Baltimore County Zoning Map 2E, reflecting the zoning of the subject property and surroundings in accordance with the 1980 Comprehensive Zoning Map.

2. Memorandum from Paul J. Solomon to Peter Max Zimmerman dated May 14, 1982, stating:

(a) Western Run and its tributaries are Class III - Natural Trout Waters. COMAR Section 08.05.04.09.

(b) The official stream order map does not show the unnamed tributary to Western Run on the subject property. Mr. Solomon rests on his field survey for evidence that the stream exists as a Class I stream. A Class I stream is defined as a single stream without any tributaries flowing into it. These streams may flow intermittently depending on available groundwater supplies. They are sometimes spring fed and at other times, receive their flow from other groundwater sources.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

RECEIVED
BALTIMORE COUNTY
MAY 19 2 28 PM '82
J. CARROLL HOLZER, Esquire

JOHN D. ALEXANDER
GEORGE W. CONSTABLE
CLAYTON W. DANEKER
JOHN H. SKEEN, JR.
WILLIAM A. JREIN
THOMAS F. CONNER, JR.
RONALD L. HAHLE
WILLIAM F. BLUE
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STEVEN A. LOWMY

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1882-1978
PHILIP O. ROACH
1916-1978
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(301) 398-1844

TOWSON OFFICE
THE CHESAPEAKE BLDG.
305 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
(301) 828-9282

October 8, 1982

PLEASE REPLY TO
TOWSON

Keith Franz, Esquire
Chairman, Board of Appeals
Old Court House
Towson, Maryland 21204

Re: Pleasant Hill Chapel
Zoning Case 82-85-XSPH and 82-98-A

Dear Mr. Franz:

At the conclusion of the second hearing before the Board on the above captioned matter, it was agreed upon by counsel representing the Petitioner's and People's Counsel, that a plan would be submitted to the County for approval and then ultimate to the Board which satisfied concerns regarding drainage from the Pleasant Hill Chapel site.

I am pleased to be able at this time to enclose a plat prepared by John W. Ranocchia Sr. dated May 13th, 1981 with a revision date of October 5th, 1982 which has been submitted to Mr. Paul Solomon of the Baltimore County Planning Office, to the Engineering Department of Baltimore County, and to the Office of People's Counsel, Mr. John Hessian and Peter Zimmerman. I am pleased to indicate on the record that this plat not only has been reviewed but been accepted by all of those representatives effectively satisfying the County requirements in regard to drainage from the Pleasant Hill Chapel site. (See attached letter from Paul J. Solomon)

Keith Franz, Esquire
October 8, 1982
Page Two

To point out to the Board the new proposals, I would refer to the site plan dated October 5th, 1982. First, the existing sheet flow across the parking area directly in front of the existing chapel is indicated by arrows across the parking lot and over a substantial lawn area. It was the conclusion of the officials that this sheet flow was satisfactorily handled by the existing lawn area and no additional artificial devices were necessary to alter that flow. Second, the roof drains from both existing and proposed sanctuary are to drain into a proposed stone trench which appears to the left and rear of the new sanctuary as indicated on the site plan. Notes in regard to all of these commitments are contained directly on the site plan which will be recorded with the Deed of Easement. In the upper left hand corner of the site plan is a cross illustration of the proposed stone trench which will accept not only the roof drainage but also the drainage which flows to the west or left side of the new sanctuary from a south to north direction.

At the conclusion of the last hearing it was agreed by all parties and the Board that submission of the above information would satisfy all concerns and that no additional testimony would be required. I therefore would request that the Board consider all the evidence, exhibits and information provided during the course of the first two hearings and this supplementary data and grant the Special Exception for the Pleasant Hill Chapel. I am also including herein a copy of the executed Deed of Easement and the recordation receipt therefore.

I believe that the only issues remaining for the Board to address would be the priority of the granting of the Special Exception and secondly, the granting of a variance from the fifty foot setback requirement. The existing chapel is within the fifty foot setback provision and the fact that the new sanctuary which would be attached to the existing chapel may at one portion be less than the fifty foot requirement (approximately thirty-nine feet from the line). This matter was introduced in the case before both the Zoning Commissioner and

Keith Franz, Esquire
October 8, 1982
Page Three

the Board at the first hearing. It is further my understanding that the County's position is in agreement with this request through the People's Counsel. Additionally, in view of the fact that Pleasant Hill Chapel, by the Deed of Easement has satisfied the acreage requirement, Petitioner's would see no need for the requested variance from the 10% pervious rule as previously raised. Finally, in the course of the first hearing the question of the height of the building was raised and Mr. Howell of the Baltimore County Planning Office indicated that there would be no objection to the height due to the exclusion of churches from that provision.

In searching my file and notes from the hearings, I do not believe there are any other issues raised which should be addressed by the Board in its final decision. I can again extend my sincere appreciation to the Board for its matter in handling this matter and its attempt to provide a fair and equitable resolution of this case. I need not point out to the Board the fact that the church would appreciate a prompt response if at all possible in view of their building commitments prior to the winter months.

Again, thank you for your cooperation.

Very truly yours,

J. Carroll Holzer

JCH:djm

Enclosure

cc: Mr. Nelson Wisner
Mr. Paul J. Solomon
Jack Hessian, Esquire

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

JOHN W. HESSIAN, III, People's Counsel
TO: People's Council Office Date: October 8, 1982
FROM: PAUL J. SOLOMON, Head
Environmental Planning Section, OPZ
SUBJECT: Stormwater Quality Controls - Pleasant Hill Chapel

I have reviewed an amended site plan submitted by Pleasant Hill Chapel upon which their engineer has placed provisions for facilities for water quality protection.

The salient features of this plan include the construction of an earthen berm and stone trench into which all existing and proposed downspouts will flow. In addition, the water runoff from a portion of the new parking lot will flow overland into this facility. Finally, with respect to the existing and a portion of the new parking lot, the runoff will consist of a sheet flow which will drain onto a large lawn area. A high level of infiltration will result from spreading of this flow over such a large area.

I am satisfied that, if these features are designed, maintained, and constructed properly, there will be no adverse water quality impacts from the proposed addition to Pleasant Hill Chapel.

PJS:vh

Paul J. Solomon
PAUL J. SOLOMON, Head
Environmental Planning Section

JOHN D. ALEXANDER
GEORGE W. CONSTABLE
CLAYTON W. DANEKER
JOHN H. SKEEN, JR.
WILLIAM A. SKEEN
THOMAS F. CONNER, JR.
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ELKTON, MD. 21821
(301) 398-1844

October 21, 1982

PLEASE REPLY TO
TOWSON

Mr. Keith Franz, Esq.
Baltimore County Board
of Appeals
Old Courts Bldg.
Towson, Md. 21204

Dear Keith:

Pursuant to our telephone conversation, the following are the five issues which I believe are presently the board:

1st - The Special Hearing which was conducted before the Zoning Commissioner in regard to the definition of "community building" was rendered moot by the County Council enacting legislation in regard to churches in RC4 zones. I dismissed that issue before the Board of Appeals.

2nd - The issue of a Variance for the ten percent impervious surface was issue that upon agreement with People's Counsel and the recordation of the Deed of Easement, Pleasant Hill Chapel no longer owned less than the required amount of acreage in order to conform to the ten percent rule and therefore withdrew the issue as being moot.

3rd - The legislation adopted by the County Council permitting churches in a RC4 zone specifically required that a special exception be granted and that issue must be determined by the Board.

4th - During the hearing before the Zoning Commissioner, the 50' set back from the property line issue arose. There was notice in terms of posting of the property for the Board of Appeals, and the issue was considered in a public form before the zoning commissioner and the Board of Appeals.

For that reason the petitioner would request a Variance granted for the 50' set back requirement.

5th - The issue regarding the height of the building was also raised during the second hearing and Mr. Howell of the County Planning staff determined that a church, was an exception to the 50' height requirement.

These five issues, as I recall, are the matters which must be dealt with by the Board in its decision. If you have any further questions, please feel free to call.

Very truly yours,

J. Carroll Holzer
J. Carroll Holzer

JCH:sh

Handwritten: *copy to B*

LAW OFFICES
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PHILIP G. ROACH
1916-1979

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(301) 398-1844

TOWSON OFFICE
THE CHESAPEAKE BLDG.
305 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
(301) 828-9282

July 23, 1981

PLEASE REPLY TO:
TOWSON

Mr. William Hammond
Zoning Commissioner
Baltimore County
County Office Building
Towson, Maryland 21204

RE: Pleasant Hill Chapel, Inc.
Petition for Special Exception and
Special Hearing

Dear Mr. Hammond:

Please be advised that I represent the church of Pleasant Hill Chapel located in Baltimore County. The church has applied for a Special Hearing and a Special Exception in regard to its location in an RC4 Zone and its desire to expand existing facilities to accommodate a larger membership. The congregation has already obtained financing and is presently paying interest on their loan for the construction of their new facility. In addition, they have retained the services of a builder who is anxious to get started on the construction before the winter months set in. We would certainly appreciate any consideration that you might give in regard to advancing the hearing in this particular case to a date as early as possible because of the extreme hardship financially and otherwise that will be sustained by the Pleasant Hill Chapel.

Thank you very much for your consideration of this request. If there are any further details which you need, please do not hesitate to call.

Very truly yours,
J. Carroll Holzer

JCH:djm

Handwritten: *9/2-23/81*

LAW OFFICES
CONSTABLE, ALEXANDER, DANER & SKEEN
1000 MARYLAND TRUST BUILDING
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TOWSON, MD. 21204
(301) 828-9282

October 13, 1981

PLEASE REPLY TO:
TOWSON

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

RE: Pleasant Hill Chapel, Inc.
Petition for Special Hearing
Petition for Special Exception
82-85-XSPH

Dear Mr. Hammond:

At the public hearing of September 22nd, 1981, the question was raised by you, during the course of the hearing, as to whether the subject property met the six criteria required before a Petition for reclassification of Property could be granted, said criteria stated in Section 1A03, Paragraph 1A03.2 of the Zoning Regulations.

John Ranocchia, Sr., a registered professional engineer in the State of Maryland, was testifying on the stand at the time the issue was raised. At your request, and as allowed by you during the course of the hearing, this letter is being furnished as a part of the record to complete that aspect of Mr. Ranocchia's testimony concerning the aforesaid criteria. Mr. Ranocchia, Sr. testified that "the subject property definitely met criteria number 1, 5 and 6 of the above paragraph; however, at that time he could not definitely state that the property met criteria number 2, 3 and 4". After observing the map of stream orders referred to in Paragraph 1A03.2 and reviewing the existing topography of the site and an on-site inspection, Mr. Ranocchia can now

Mr. William E. Hammond
October 13, 1981
Page Two

testify that "definitely the subject property does not lie within 300 feet of any ordered stream and that only 8 to 10 percent of the parcel has a slope of more than 20%".

Therefore, in conclusion, the Petitioner would submit that Pleasant Hill Chapel property adheres to all six criteria needed before a Petition for Reclassification could be granted.

Very truly yours,
J. Carroll Holzer
Attorney for Petitioner

JCH:djm

November 6, 1981

J. Carroll Holzer, Esquire
305 West Chesapeake Avenue, Suite 100
Towson, Maryland 21204

RE: Petitions for Special Exception, Special Hearing, and Variance N/S of Worthington Heights Parkway, 600' E of Cuba Road - 8th Election District
NO. 82-85-XSPH (Item No. 4) and NO. 82-58-A (Item No. 58)

Dear Mr. Holzer:

I have this date passed my Orders in the above referenced matters in accordance with the attached.

Very truly yours,
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:arl

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

David D. Downes, Esquire
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21204

November 13, 1981

David D. Downes, Esquire
210 Allegheny Avenue
P. O. Box 5517
Towson, Maryland 21204

RE: Petitions for Special Exception, Special Hearing, and Variance N/S of Worthington Heights Parkway, 600 ft. E of Cuba Road - 8th Election District
Case #82-85-XSPH and #82-98-A

Dear Mr. Downes:

Please be advised that on November 9, 1981 as appeal was filed by J. Carroll Holzer, Esquire, on behalf of Pleasant Hill Chapel, from the decision rendered by the Zoning Commissioner of Baltimore County in the above-referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,
William E. Hammond
Zoning Commissioner

WEH:klr

cc: John W. Hessian, III, Esquire

Handwritten: *9/2-23/81*

LAW OFFICES
CONSTABLE, ALEXANDER, DANER & SKEEN
1000 MARYLAND TRUST BUILDING
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(301) 828-9282

November 25, 1981

PLEASE REPLY TO:
TOWSON

Mr. William Hammond
Zoning Commissioner
Baltimore County
County Office Building
Towson, Maryland 21204

RE: Pleasant Hill Chapel Special Hearing, Special Exception and Variance
82-85-XSPH / 82-98-A

Dear Mr. Hammond:

I am writing in regard to the Pleasant Hill Chapel and your recent decision regarding the definition of their operations as a church and not a community building which use would be authorized under the RC 4 Zone. I have taken an appeal from your decision in all three petitions and the record is presently at the Board of Appeals level. I have also talked with Councilman Jim Smith and he advises me that he expects to have a public hearing on the Planning Board's recommendation to allow churches in an RC 4 Zone by way of Special Exception. Councilman Smith indicated that the hearing would be scheduled for December or January and that he anticipated the bill to amend the Zoning Regulations to authorize such Special Exception for churches would be introduced in January or February of 1982.

I am writing this letter to you to request your advice in the event that the County Council amends the Zoning Regulations to authorize churches, by way of Special Exception, in RC 4 Zones. My question is, is there a mechanism by which we could utilize the prior testimony and prior request for Special Exception and Hearing to accelerate having the Pleasant Hill

Spoke with atty. and advised that in view of the above he would have to proceed with his appeal.
10/5/81
12/7/81

Mr. William Hammond
November 25, 1981
Page Two

Chapel provided with a Special Exception by way of the existing hearing. It would be an unfortunate delay and additional expense to require that the Pleasant Hill Chapel file a new Petition for Special Exception and go through the time and expense and delay of an additional hearing which would be repetitive and duplicative of the hearing which took place earlier this year. I am raising the question at this time in order that we can explore the possibility of reducing the time delay from the enactment of the new legislation to the possible granting of the Special Exception.

I would appreciate your informal thoughts as to how I might best proceed in this particular case. Thank you very much for your consideration.

Very truly yours,
J. Carroll Holzer

JCH:djm

August 26, 1981

J. Carroll Holzer, Esquire
305 W. Chesapeake Avenue
Suite 100
Towson, Maryland 21204

NOTICE OF HEARING
RE: Petition for Special Exception & Special Hearing N/S Worthington Heights Parkway, 600' NE of Cuba Road
Pleasant Hill Chapel, Inc. - Petitioner
Case #82-85-XSPH

TIME: 9:30 A.M.

DATE: Tuesday, September 22, 1981

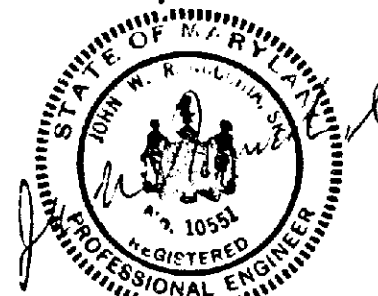
PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, TOWSON, MARYLAND

ZONING COMMISSIONER OF BALTIMORE COUNTY

LOT DESCRIPTION OF PLEASANT HILL CHAPEL

All that lot of ground situate in the Eight Election District of Baltimore County, State of Maryland and described as follows, that is to say:

BEGINNING for the same at a pipe situated on the south side of Worthington Heights Parkway at a distance of 600 feet more or less from the centerline of Cuba Road, and running thence from said place of beginning along the South side of Worthington Heights Parkway: South 84 degrees 46 minutes East 97.9 feet to a pipe, thence South 79 degrees East 65 feet to a pipe, and South 84 degrees 45 minutes East 84.81 feet, thence leaving the outline and running across said road to include the same, subject to the use thereof in common by previous grantees of the grantors herein, and by grantors, their heirs and assigns, North 7 degrees 17 minutes 10 seconds East 341.12 feet, thence South 88 degrees 45 minutes 10 seconds West 485.9 feet, more or less, and thence South 21 degrees West 57.95 feet, more or less, and thence South 46 degrees 44 minutes East 284.01 feet, more or less, and thence crossing said private road or right-of-way known as Worthington Heights Parkway South 18 degrees 30 minutes East 43.7 feet to the place of beginning. Containing 2.88 acres of land, more or less; with the use in common of a private right-of-way 40 feet wide, leading from Cuba Road to the above described property, sometimes referred to as Worthington Heights Parkway.



PETITION FOR SPECIAL EXCEPTION & SPECIAL HEARING

8th DISTRICT

ZONING: Petition for Special Exception and Special Hearing
 LOCATION: North side of Worthington Heights Parkway, 600' Northeast of Cuba Road
 DATE & TIME: Tuesday, September 22, 1981 at 9:30 A.M.
 PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Ave., Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for an addition to the existing facility, such addition, pursuant to the Baltimore County Zoning Regulation Section 1A03.3.B.3, to be used as a community building devoted to civic, social, recreational and educational activities; and Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should determine that an addition to the existing facility which will be utilized for community service, civic activities, social functions recreational pursuits and activities, educational purposes and religious services may be defined as a "community building" pursuant to the Baltimore County Zoning Regulation Section 1A03.3.B.3

All that parcel of land in the Eighth District of Baltimore County

Being the property of Pleasant Hill Chapel, Inc., as shown on plat plan filed with the Zoning Department
 Hearing Date: Tuesday, September 22, 1981 at 9:30 A.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
 WILLIAM E. HAMMOND
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY



BALTIMORE COUNTY
 DEPARTMENT OF PERMITS & LICENSES
 TOWSON, MARYLAND 21204
 494-3100

TED ZALISKI, JR.
 DIRECTOR

October 29, 1981

Mr. William E. Hammond, Zoning Commissioner
 Office of Planning and Zoning
 County Office Building
 Towson, Maryland 21204

Dear Mr. Hammond:

Revised
 Comments on Item # 50 Zoning Advisory Committee Meeting, September 29, 1981
 are as follows:

Property Owner: Pleasant Hill Chapel, Inc.
 Location: S/S Worthington Heights Parkway 300' N/E of centerline of Cuba Road
 Existing Zoning: R.C. 1
 Proposed Zoning: Variance to permit more than 10% of the subject property to be covered by impermeable surfaces including structures and pavement.

Acres: 2.88
 District: 8th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged; and other applicable Codes, and other miscellaneous
- X B. A building/ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 5" masonry firewall is required if construction is on the "r" line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required set s of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 224.
- X I. Comments: Building shall be in compliance with the Handicapped Code accessible and useable-all levels. See State Handicapped Code of Maryland reg. 05.01.07. Provide parking spaces and signs for handicapped.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.
 If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burnham, Chief
 Plans Review

CEB:rrj

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
 Zoning Commissioner
 Norman E. Gerber, Director
 Office of Planning and Zoning
 Date: September 9, 1981
 SUBJECT: Petition No. 82-85-XSPH Item 8

Petition for Special Exception and Special Hearing
 North side of Worthington Heights Parkway, 600' Northeast of Cuba Road
 Petitioner- Pleasant Hill Chapel, Inc.

Eighth District

HEARING: Tuesday, September 22, 1981 (9:30 A.M.)

Section 1A03.4B.5 of the Baltimore County Zoning Regulations states, in part, that "no more than 10% of any lot in an R.C.4 zone may be covered by buildings, structures, walks, patios or drives". The petitioner's proposal exceeds the permitted coverage.

In reviewing the materials submitted by the petitioner, it would appear that the proposed use is that of a school, a use not permitted in an R.C.4 zone.

For the above reasons, this office does not believe the petitioner's request can be granted.

NEG: JGH:ob

Norman E. Gerber, Director
 Office of Planning and Zoning

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>uen</u>	Revised Plans: Change in outline or description <u>Yes</u> <u>No</u>									
Previous case: _____	Map # <u>2D</u>									

Item # 8

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 8th Date of Posting NOV. 22 - 51
 Posted for: APPEAL
 Petitioner: PLEASANT HILL CHAPEL, INC.
 Location of property: N/S. OF WORTHINGTON HEIGHTS PKWY.
600' E. OF CUBA ROAD
 Location of Signs: NORTH SIDE OF WORTHINGTON HEIGHTS PKWY
APPROX. 650' EAST OF CUBA ROAD
 Remarks: _____
 Posted by: [Signature] Date of return: NOVEMBER 22-51
 Number of Signs: 1

LAW OFFICES CONSTABLE ALEXANDER DANER & SKEEN

JOHN D. ALEXANDER
 GEORGE W. CONSTABLE
 CLAYTON W. DANER
 JOHN H. SKEEN, JR.
 WILLIAM A. SKEEN
 THOMAS F. COOPER, III
 RONNELL L. MAHER
 WILLIAM F. BLUE
 DAVID C. DANER
 JAMES W. CONSTABLE
 MARK J. JALEKIN
 DAVID A. SKEEN
 FRANK THOMAS HOWARD
 J. CARROLL HOLZER
 CAROL S. DEWILLO
 JAMES D. SKEEN
 M. BANSAY GROSS
 JOSEPH A. DENARDI

555 MARYLAND TRUST BUILDING
 CALVERT AND REDWOOD STS.
 BALTIMORE, MARYLAND 21202
 (301) 539-3474
 (301) 685-5680
 TELETYPE: 301-539-3474

November 9, 1981

PLEASE REPLY TO:
 TOWSON

Mr. William E. Hammond
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204

RE: Order for Special Hearing dated November 6, 1981
 No. 82-85-XSPH (Item No. 8) and
 Order for Special Exception dated November 6, 1981
 No. 82-98-A (Item No. 58)
 Order for Variance dated November 6, 1981

Dear Commissioner Hammond:

The Petitioner's, Pleasant Hill Chapel, hereby requests an Appeal be noted and filed in the above captioned matter in regard to Pleasant Hill Chapel, Inc.

Pleasant Hill Chapel hereby appeals from your Order in the Special Hearing, your Order of the Special Exception and your Order for the Zoning Variance.

I would appreciate your forwarding the file to the Baltimore County Board of Appeals.

Enclosed is our check in the amount of \$110.00 to cover the cost of Fees for Appeals.

Very truly yours,

J. Carroll Holzer

JCH:djm

cc: Mr. Nelson Wisner

J. Carroll Holzer, Esquire
 305 W. Chesapeake Avenue
 Towson, Md. 21204

John W. Burnham, Esq.
 1800 Worthington Heights Parkway
 Cockeysville, Md. 21030

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received and accepted for filing this 14th day of July, 1981.

William E. Hammond
 Zoning Commissioner

Petitioner: Pleasant Hill Chapel, Inc.
 Petitioner's Attorney: J. Carroll Holzer, Esq.

Reviewed by: [Signature]
 Nicholas H. Commodari
 Chairman, Zoning Plans
 Advisory Committee

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 8th Date of Posting SEPT. 4, 1981
 Posted for: SPECIAL HEARING
 Petitioner: PLEASANT HILL CHAPEL
 Location of property: N/S. OF WORTHINGTON HEIGHTS PARKWAY 600' NE.
OF CUBA ROAD
 Location of Signs: NORTH SIDE OF WORTHINGTON HEIGHTS PARKWAY
APPROX. 650' NE. OF CUBA ROAD
 Remarks: _____
 Posted by: [Signature] Date of return: SEPTEMBER 11, 1981
 Number of Signs: 2

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should appear and determine that an addition to the existing facility which will be utilized for community service, civic activities, social functions, recreational pursuits and activities, educational purposes and religious services may be defined as a "community building" pursuant to the Baltimore County Zoning Regulation Section 1A03.3.B.3.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
(Type or Print Name)
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
Name _____
Address _____
City and State _____
Attorney's Telephone No.: 828-9282 _____
Name _____
Address _____
City and State _____
Attorney's Telephone No.: 828-9282 _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 14th day of July, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of September, 1981, at 9:30 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

X.C.O.-No. 1 (over)

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for an addition to the existing facility, such as addition pursuant to the Baltimore County Zoning Regulation Section 1A03.3.B.3, to be used as a community building devoted to civic, social, recreational and educational activities.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
(Type or Print Name)
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
Name _____
Address _____
City and State _____
Attorney's Telephone No.: 828-9282 _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 14th day of July, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of September, 1981, at 9:30 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

X.C.O.-No. 1 (over)

A review of the R.C. (Resource Conservation) Zones discloses that "Churches or other buildings for religious worship" is included in the R.C.3 (Deferral of Planning and Development) Zone under Section 1A02.2.A.1 and in the R.C.5 (Rural-Residential) Zone under Section 1A04.2.A.1 as a permitted use and in the R.C.2 (Agricultural) Zone under Section 1A01.2.C.6 as a special exception. Community buildings are allowed in all of the R.C. Zones as a special exception, except in the R.C.2 Zone, wherein such use was deleted by Bill No. 178-79.

It appears that the County Council, in exercising its legislative prerogative, intended to draw a distinction between the two uses—one is that the principal use is for religious worship with accessory uses, i.e., boy and girl scout troops, community meetings, etc., and the other is primarily for community buildings or other uses of a civic, social, recreational, or educational nature, which would be other than religious. Were this not true, there would have been no need to establish two classification of use nor any reason to distinguish which use would be permitted as a special exception.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of November, 1981, that "Churches or other buildings for religious worship" is not a permitted use or a use permitted by a special exception in an R.C.4 Zone and, as such, the proposed use does not come within the purview of "Community buildings...or other uses of a civic, social, recreational, or educational nature..."

[Signature]
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
DATE 11/11/81
BY [Signature]

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 16, 1981

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
ofo
Nicholas B. Conodari
Chairman

J. Carroll Holzer, Esquire
305 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Item No. 8
Petitioner - Pleasant Hill Chapel, Inc.
Special Exception & Special Hearing

Dear Mr. Holzer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your proposal construct an addition to the existing building on this property, this combination hearing is required. The special hearing is requested in order to determine whether the existing use should be considered as a community building, and, if so, the special exception is included to "legalize" this use and allow the proposed addition.

It should be noted that since the building and parking areas (existing and proposed) occupy more than 10% of the site area, a variance to Section 1A03.3.B.5 of the zoning regulations will be heard on October 8th. (Case #82-96-A)

Particular attention should be afforded to the comments of the Health Department and Department of Permits and Licenses.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

[Signature]
NICHOLAS B. CONODARI, Chairman
Zoning Plans Advisory Committee.

NEC:bcc
Enclosures
cc: John W. Ranocchia, Sr.
1800 Worthington Heights Parkway
Cockeysville, Md. 21030



HARRY J. PISTEL P.E.
DIRECTOR

August 5, 1981

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #8 (1981-1982)
Property Owner: Pleasant Hill Chapel, Inc.
S/S Worthington Heights Parkway, 600' N/E of
centerline of Cuba Rd.
Acres: 2.88 District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Worthington Heights Parkway, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards and Specifications.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #8 (1981-1982)
Property Owner: Pleasant Hill Chapel, Inc.
Page 2
August 5, 1981

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property which is utilizing private onsite facilities and is beyond the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line.

Baltimore County Water and Sanitary Sewerage Plans W and S-10B, as amended, indicate "No Planned Service" in the area.

Very truly yours,

[Signature]
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAU:EAM:FWR:SS

DD-SW Key Sheet
02 & 03 NW 18 & 19 Pos. Sheets
NW 21 E Topo
33 Tax Map



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

September 9, 1981

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #8, Zoning Advisory Committee Meeting, July 14, 1981, are as follows:

Property Owner: Pleasant Hill Chapel, Inc.
Location: S/S Worthington Heights Parkway 600' N/E of centerline of Cuba Road
Acres: 2.88
District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

All parking areas must be paved a minimum of 8 feet from the street right of way line.

Very truly yours,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development

JLW:rh

PETITION FOR SPECIAL
EXCEPTION & SPECIAL
HEARING—8th DISTRICT

ZONING: Petition for Special Ex-
ception and Special Hearing
LOCATION: North side of Worthing-
ton Heights Parkway, 600'
Northeast of Cuba Road
DATE & TIME: Tuesday, September
22, 1981 at 9:30 A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Bal-
timore County, by authority of the
Zoning Act and Regulations of Bal-
timore County, will hold a public
hearing:

Petition for Special Exception
for an addition to the existing fa-
cility, such addition, pursuant to
the Baltimore County Zoning Regu-
lation Section 1A03.3.B.3, to be used
as a community building devoted to
civic, social, recreation and edu-
cational activities; and Special
Hearing under Section 500.7 of the
Zoning Regulations of Baltimore
County to determine whether or not
the Zoning Commissioner and/or
Deputy Zoning Commissioner
should determine that an addition
to the existing facility which will
be utilized for community service,
civic activities, social functions, re-
creational pursuits and activities,
educational purposes and religious
services may be defined as a "com-
munity building" pursuant to the
Baltimore County Zoning Regula-
tion Section 1A03.3.B.3.

All that parcel of land in the
Eighth District of Baltimore Coun-
ty

All that lot of ground situate in
the Eighth Election District of Bal-
timore County, State of Maryland
and described as follows, that is to
say:

Beginning for the same at a pipe
situated on the south side of Wor-
thington Heights Parkway at a dis-
tance of 600 feet more or less from
the centerline of Cuba Road, and
running thence from said place of
beginning along the South side of
Worthington Heights Parkway;
South 34 degrees 46 minutes East
79.9 feet to a pipe, thence South
79 degrees East 65 feet to a pipe,
and South 84 degrees 35 minutes
East 84.81 feet, thence leaving the
outline and running across said
road to include the same, subject to
the use thereof in common by pre-
vious grantees of the grantors here-
in, and by grantors, their heirs and
assigns, North 7 degrees 17 minutes
10 seconds East 341.12 feet, thence
South 55 degrees 46 minutes 10 sec-
onds West 485.9 feet, more or less,
and thence South 31 degrees West
284.01 feet, more or less, and thence
crossing said private road or right-
of-way known as Worthington Heights
Parkway, 600' Northeast of Cuba
Road to the place of beginning. Con-
taining 2.88 acres of land, more or less;
with the use in common of a private
right-of-way 40 feet wide, leading
from Cuba Road to the above described
property, sometimes referred to as
Worthington Heights Parkway.

Being the property of Pleasant
Hill Chapel, Inc., as shown on plat
plan filed with the Zoning Depart-
ment

Hearing Date: Tuesday, Septem-
ber 22, 1981 at 9:30 A.M.
Public Hearing: Room 106, County
Office Building, 111 W. Chesapeake
Avenue, Towson, Maryland

By Order Of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
Sept. 8.

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 3, 1981

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., once each
of one time ~~successive weeks~~ before the 22nd
day of September, 1981, the first publication
appearing on the 3rd day of September
1981.

THE JEFFERSONIAN,
L. Frank Strickland
Manager.

Cost of Advertisement, \$ 36.75

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 100459

DATE 8/25/81 ACCOUNT 01-662

AMOUNT \$50.00

RECEIVED FROM J. Carroll Holzer

FOR Filing Fee for Case #82-85-XSPH

2087413 27 50.00

VALIDATION OR SIGNATURE OF CASHIER



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

September 17, 1981

WILLIAM E. HAMMOND
ZONING COMMISSIONER

J. Carroll Holzer, Esquire
305 W. Chesapeake Avenue #100
Towson, Maryland 21204

RE: Petition for Special Exception & Special Hearing
N/s Worthington Heights Parkway, 600' NE of
Cuba Road
Pleasant Hill Chapel, Inc. - Petitioner
Case #82-85-XSPH

Dear Mr. Holzer:

This is to advise you that \$90.75 is due for advertising and
posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to
Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204
before the hearing.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH:klr

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 101630

DATE September 22, 1981 ACCOUNT 01-662

AMOUNT \$90.75

RECEIVED FROM Constable, Alexander, Daneker & Skeen

FOR Advertising and Posting for Case #82-85-XSPH

20870534 23 90.75

VALIDATION OR SIGNATURE OF CASHIER

#82-85-XSPH &
#82-98-A

8th District

N/S of Worthington Heights
Pkwy., 600 ft. E of Cuba Rd.

Pleasant Hill Chapel, Inc.

1 SIGN

Petition for
Special
Exception &
Special Hearing

8TH DISTRICT

ZONING: Petition for
Special Exception and
Special Hearing
LOCATION: North side
of Worthington Heights
Parkway, 600' Northeast
of Cuba Road

DATE & TIME: Tues-
day, September 22, 1981 at
9:30 A.M.

PUBLIC HEARING:
Room 106, County Office
Building, 111 W. Chesa-
peake Ave., Towson,
Maryland.

The Zoning Commis-
sioner of Baltimore Coun-
ty, by authority of the
Zoning Act and Regula-
tions of Baltimore County,
will hold a public hearing:

Petition for Special Ex-
ception for an addition to
the existing facility, such
addition, pursuant to the
Baltimore County Zoning
Regulation Section
1A03.3.B.3, to be used as a
community building de-
voted to civic, social, re-
creational and educational
activities; and Special
Hearing under Section
500.7 of the Zoning Regu-
lations of Baltimore County
to determine whether or
not the Zoning Commis-
sioner and/or Deputy Zon-
ing Commissioner should
determine that an addition
to the existing facility, such
addition, pursuant to the
Baltimore County Zoning
Regulation Section 1A03.3.B.3

All that parcel of land in
the Eighth District of Bal-
timore County

that is to say:

BEGINNING for the
same at a pipe situated on
the south side of Wor-
thington Heights Park-
way, 600' Northeast of
Cuba Road, and running
thence from said place
of beginning along the
South side of Wor-
thington Heights Park-
way, South 34 degrees
46 minutes East 79.9 feet
to a pipe, thence South
79 degrees East 65 feet
to a pipe, and South 84
degrees 35 minutes East
84.81 feet, thence leav-
ing the outline and run-
ning across said road
to include the same, sub-
ject to the use thereof
in common by previous
grantees of the grantors
herein, and by grantors,
their heirs and assigns.

The Times

Middle River, Md., Sept 2, 1981

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed
and published in Baltimore County, once in each
of 2 successive
weeks before the 22nd day of
September, 1981
Publisher.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 102634

DATE 11/18/81 ACCOUNT 01-662

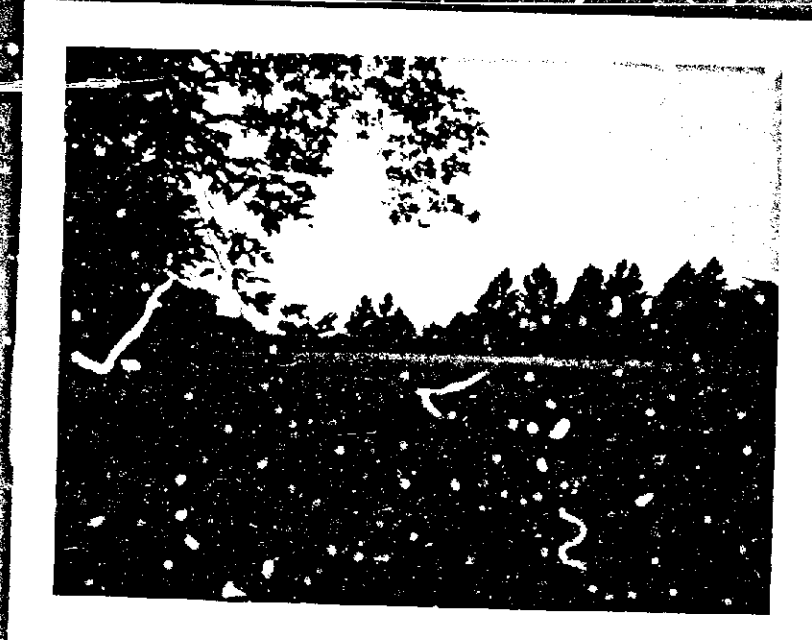
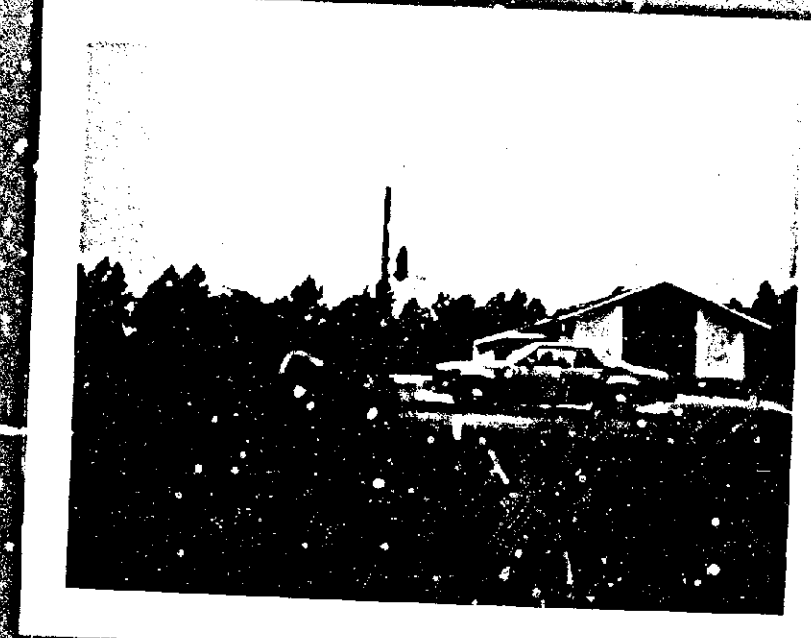
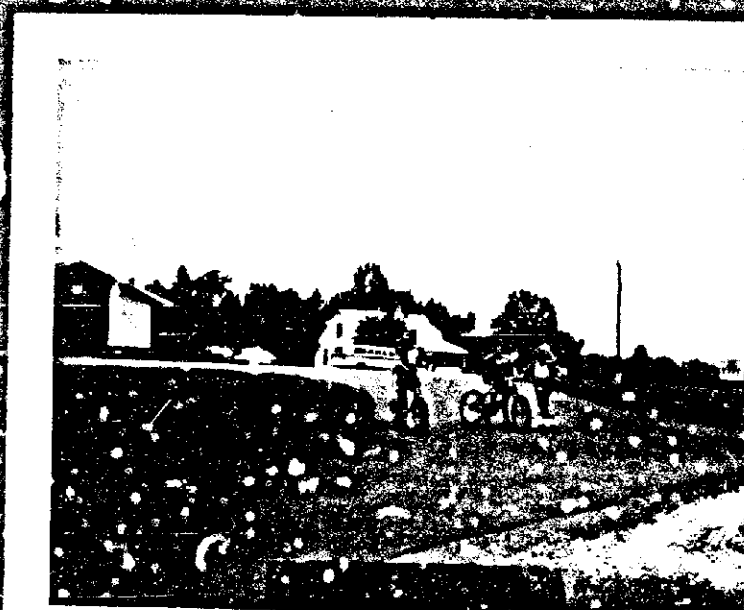
AMOUNT \$110.00

RECEIVED FROM Constable, Alexander, Daneker & Skeen

FOR Appeal fee for Cases #82-85-XSPH & 82-98-A
(Pleasant Hill Chapel)

2501144 18 110.00

VALIDATION OR SIGNATURE OF CASHIER



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 30 day of June, 1981.

Filing Fee \$ 50.00

Received: ☒ Check

☐ Cash

☐ Other

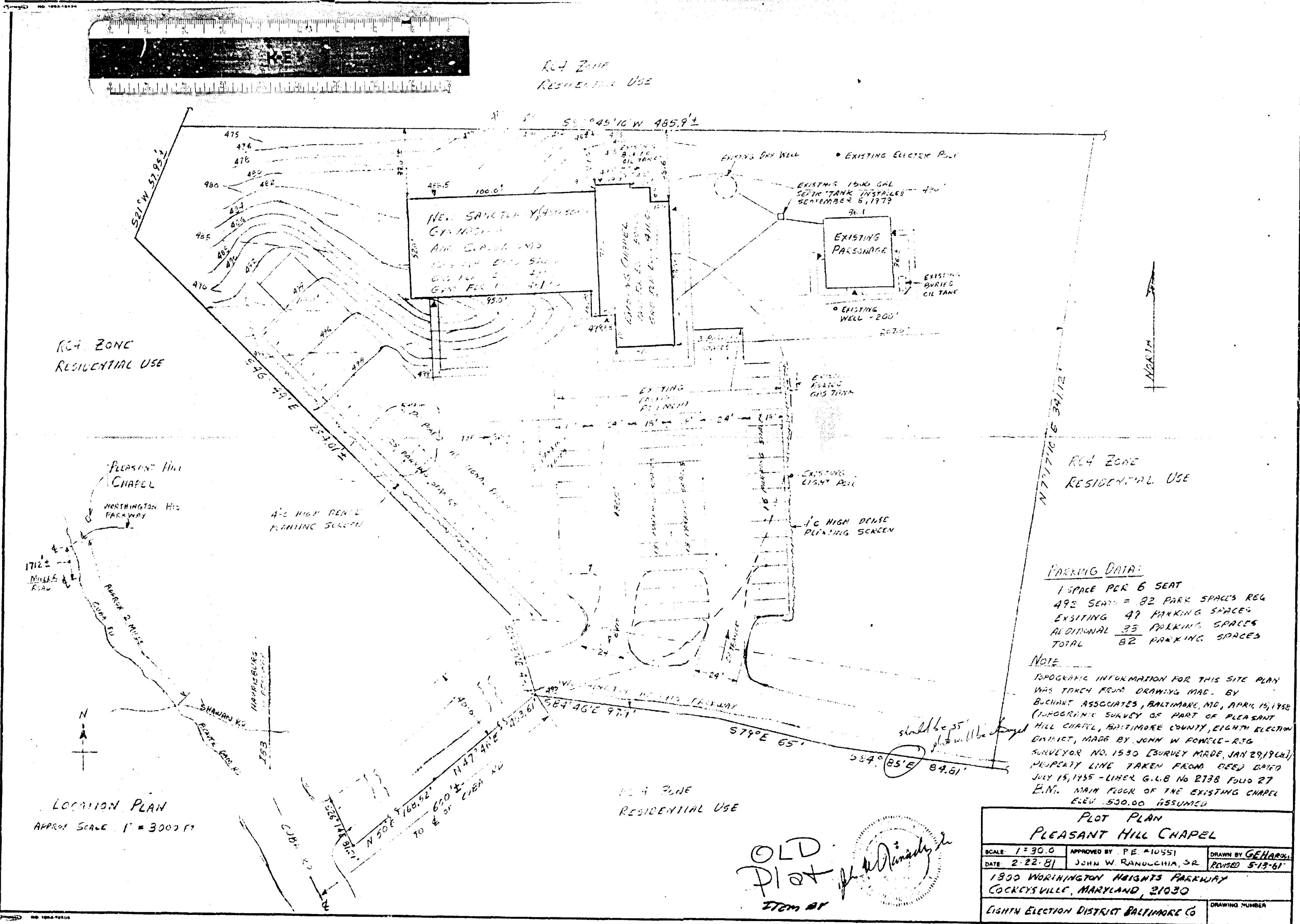
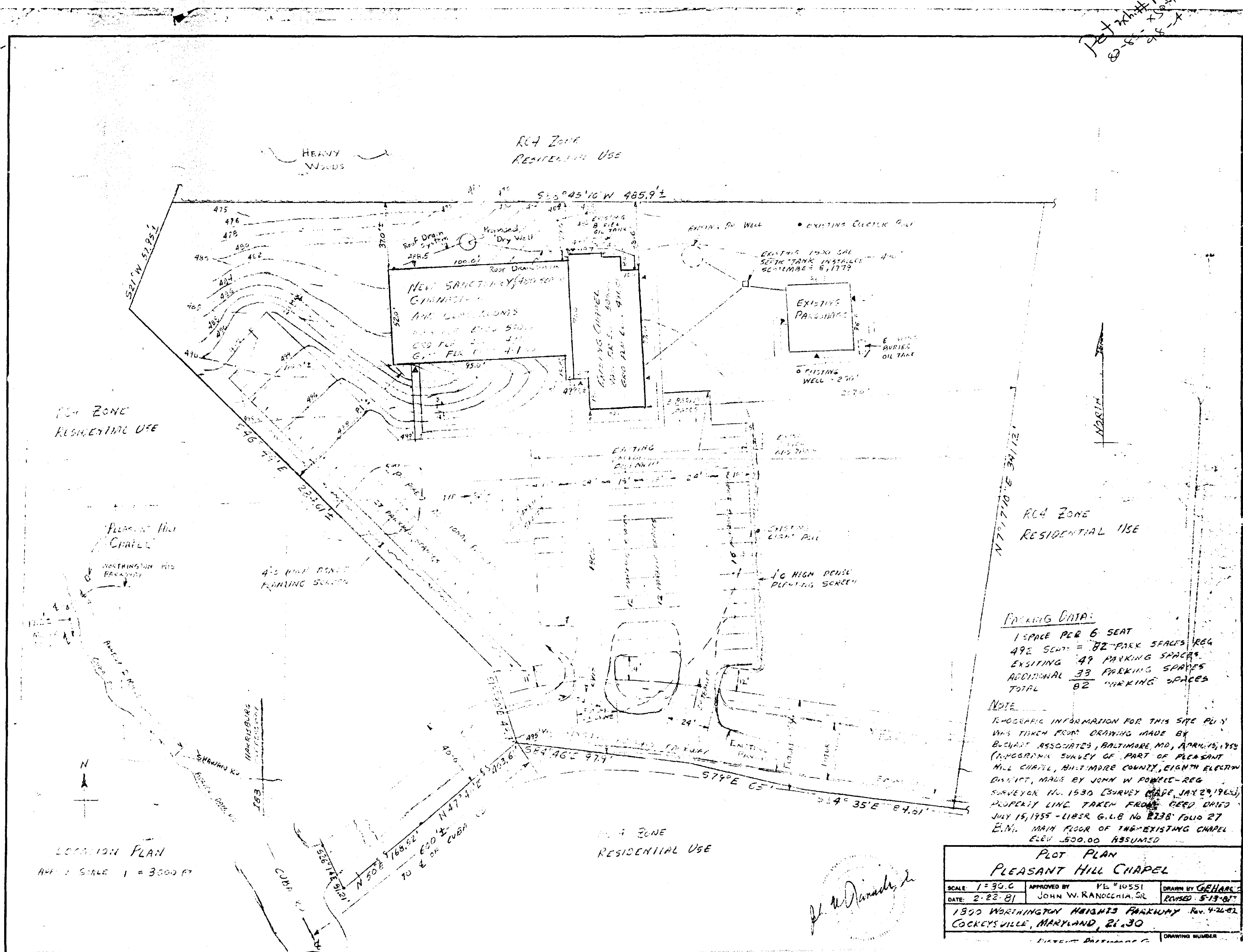
Item #8

William E. Hammond, Zoning Commissioner

Petitioner Pleasant Hill Chapel Submitted by J. Carroll Holzer

Petitioner's Attorney Sae Reviewed by ucn

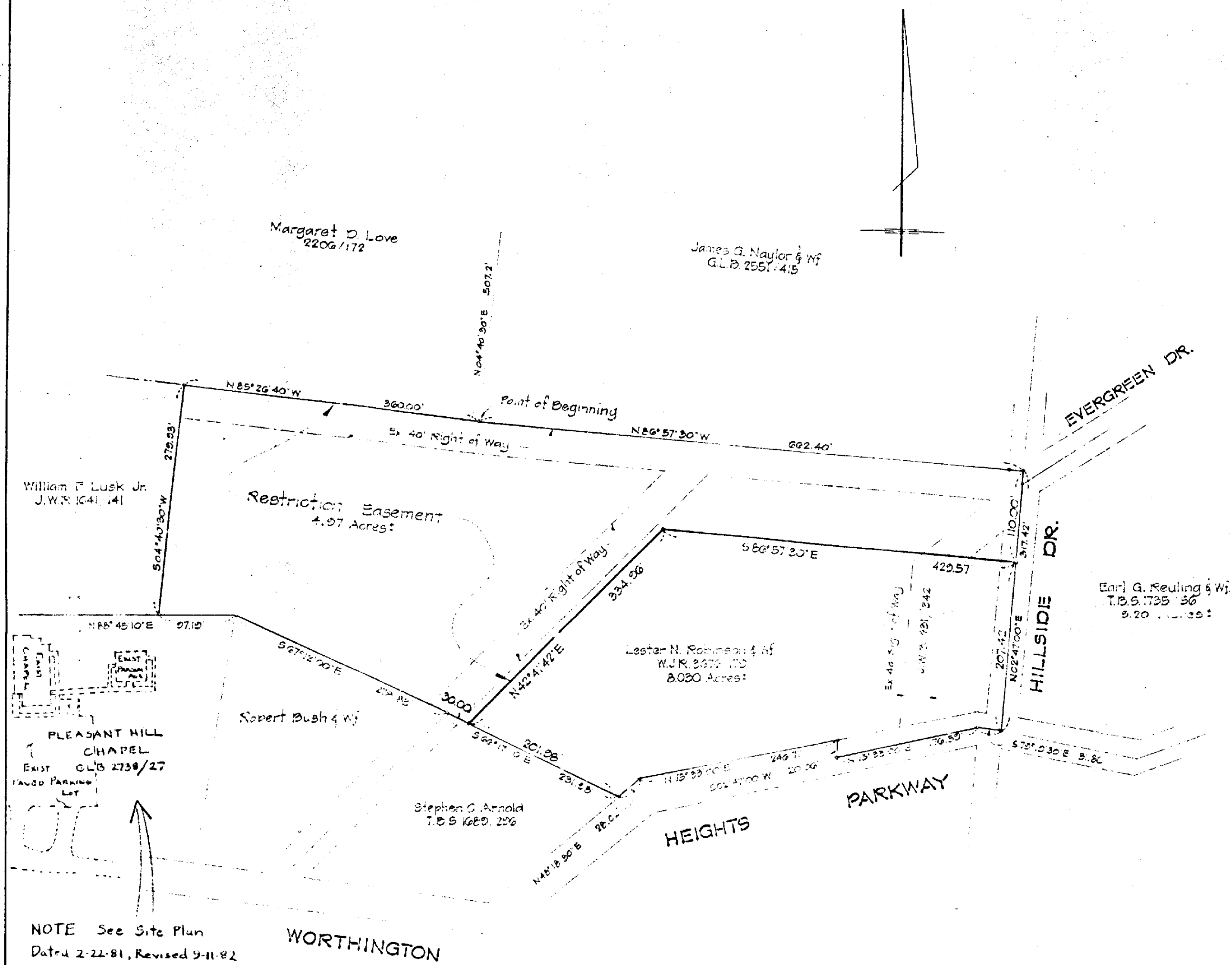
*This is not to be interpreted as acceptance of the Petition for assignment of a
hearing date.



NOTE:

'PLAT TO ACCOMPANY ORDER OF THE BALTIMORE COUNTY BOARD OF APPEALS IN PLEASANT HILL CHAPEL, INC., PETITIONER, N/S WORTHINGTON HEIGHTS PARKWAY, 600' E. OF CUBA ROAD, 8th DISTRICT, CASE NOS. 82-85-XSPH AND 82-98-A, and DEED OF EASEMENT BETWEEN LESTER N. ROBINSON AND DORIS E. ROBINSON, HIS WIFE, AND PLEASANT HILL CHAPEL, A RELIGIOUS CORPORATION.

'THIS PLAT SHOW THE EASEMENT REQUIRED TO BE OBTAINED BY PLEASANT HILL CHAPEL AS A CONDITION TO OBTAINING A SPECIAL EXCEPTION AND VARIANCE IN THIS ZONING CASE AND TO COMPLY WITH THE BALTIMORE COUNTY ZONING REGULATIONS ESTABLISHING A MAXIMUM AREA OF IMPERVIOUS SURFACE OF TEN PER CENT OF THE LAND TO WHICH THE ADDITION IS DEVOTED. THE EASEMENT REFERRED TO IN THIS PLAT IS DESCRIBED MORE FULLY IN A DEED OF EASEMENT, UPON WHICH THE ORDER OF THE BOARD OF APPEALS IS ALSO CONDITIONED. NO MODIFICATION OF THIS EASEMENT OR ALIENATION OF THE DESCRIBED PROPERTY SHALL OCCUR WITHOUT FURTHER ORDER AND APPROVAL OF THE COUNTY BOARD OF APPEALS. THE PROVISIONS OF THIS AGREEMENT MAY BE ENFORCED BY DULY AUTHORIZED PUBLIC OFFICIALS AND/OR INTERESTED PERSONS.'



NOTE See Site Plan
Dated 2-22-81, Revised 9-11-82
For Proposed Improvements
To Be Made In Conjunction
With The Acquisition Of
The Easement

**PLEASANT HILL CHAPEL
SITE DATA**

Site Acreage 2.88 Ac.
Exist. Impervious Area 0.48 Ac.
Prop. Additional Imp. Area 0.44 Ac.
Additional Area Required
Under Section 1A03.4B5 4.40 Ac.

Plat to Accompany Description
4.97 Acre : Restriction Easement
For

PLEASANT HILL CHAPEL

Baltimore County, Md.
Scale : 1"=100'

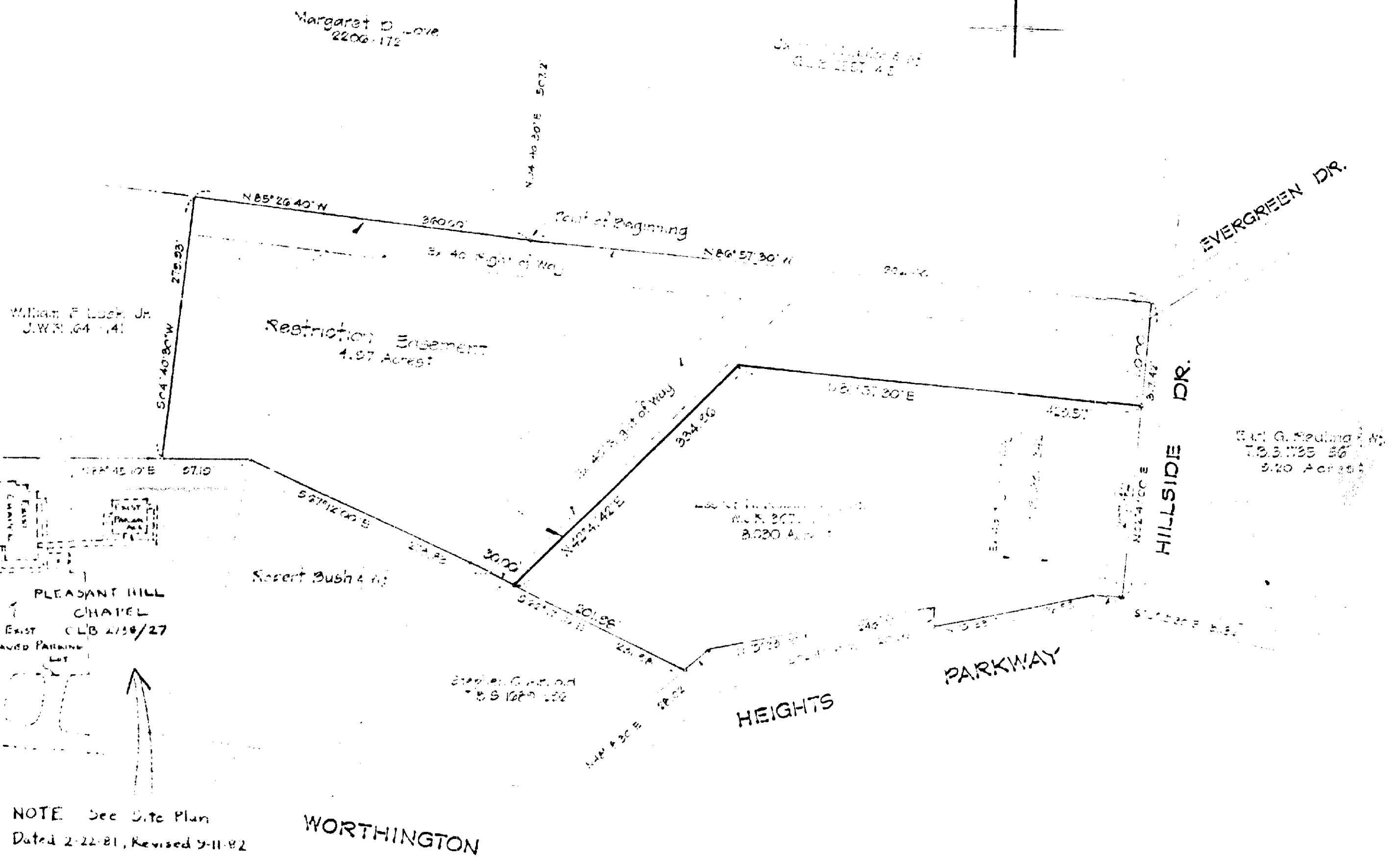
8th Election District
July 16, 1982



NOTE:

'PLAT TO ACCOMPANY ORDER OF THE BALTIMORE COUNTY BOARD OF APPEALS IN PLEASANT HILL CHAPEL, INC., PETITIONER, N/S WORTHINGTON HEIGHTS PARKWAY, 600' E. OF CUBA ROAD, 8th DISTRICT, CASE NOS. 82-85-XSPH AND 82-98-A, and DEED OF EASEMENT BETWEEN LESTER N. ROBINSON AND DORIS E. ROBINSON, HIS WIFE, AND PLEASANT HILL CHAPEL, A RELIGIOUS CORPORATION.

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NOTE See Site Plan
Dated 2-22-81, Revised 9-11-82
For Proposed Improvements
To Be Made In Conjunction
With The Acquisition Of
The Easement

**PLEASANT HILL CHAPEL
SITE DATA**

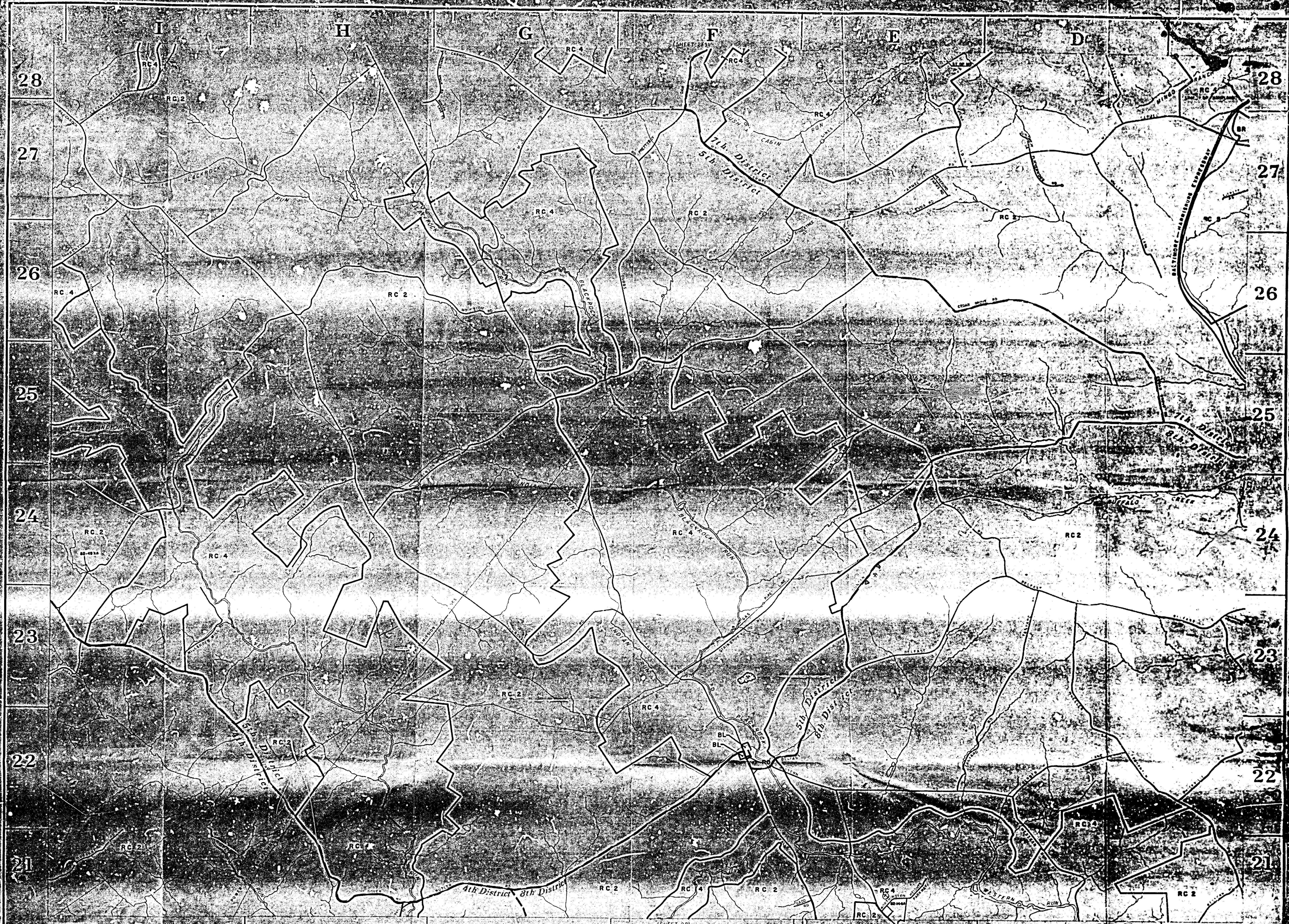
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Prop. Additional Imp. Area 0.44 Ac.
Additional Area Required
Under Section 1A03.4B5 4.40 Ac.

Plat to Accompany Description
4.97 Acre : Restriction Easement
For

PLEASANT HILL CHAPEL

Baltimore County, Md.
Scale : 1"=100'

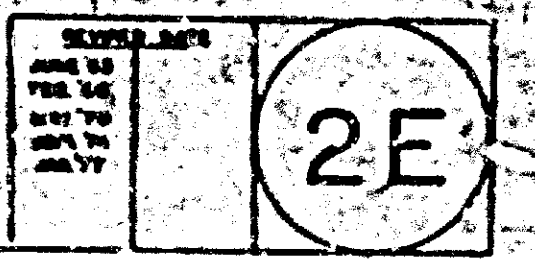
8th Election District
July 16, 1982



1980 COMPREHENSIVE ZONING MAP
ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
OCT. 14, 1980
BILL NOS. 184-80, 185-80, 186-80,
187-80, 188-80, 189-80 AND 190-80
James A. Hamilton
CHAIRMAN, COUNTY COUNCIL

BALTIMORE COUNTY OFFICE
OF PLANNING AND ZONING

BUTLER
BALTIMORE COUNTY, BASE MAP



Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that by reason of the following finding of facts:

1. The petitioner herein seeks an interpretation of Section 1A03.3.B.3 of the Baltimore County Zoning Regulations to allow the existing church facility to be expanded for use as a community building devoted to civic, social, recreational, and educational activities.
2. According to the site plan prepared by John W. Ramo, Sr., revised May 13, 1981, and marked Petitioner's Exhibit 1, the subject site, zoned R.C.4 (Watershed Protection), contains approximately 2.88 acres of land and is located on Worthington Heights Parkway, approximately 600 feet northeast of the centerline of Cuba Road.
3. The Reverend Charles Peterson, pastor of the Pleasant Hill Chapel, testified that the existing church and parsonage has been in existence approximately 25 years. Because of the expansion of their visibility in the community they service and the religious opportunities offered, the congregation has been growing at a rate of approximately 20% for the last several years. This yearly increase in community service, together with the desire to meet envisioned future needs, precipitated the church leadership to investigate and consider expansion in 1969, but economics dictated deference of the recognized needs.
4. Testimony further indicated that the proposed addition, consisting of three levels, each containing approximately 5,290 square feet, would include an auditorium-sanctuary for 450 to 480 people, Sunday school classrooms on the ground floor level, and a gym in the below grade level to be used by those participating in programs sponsored by the church, i.e., vacation bible school, boy and girl scout troops, etc., It is also contemplated that these facilities would be available for use by other community groups. The existing sanctuary is to be converted to Sunday school classrooms and a small chapel for weddings. No other school would be operated on the site.
5. Mr. Wiley J. Smith, an adjacent lower landowner to the north of the subject site, appeared and expressed concern regarding a possible increase in the quantity and velocity of storm water run-off to his property and the effect this proposal would have upon his existing septic system. In this regard, the petitioner's engineer testified that only a small portion of the proposed paved parking area would flow in the direction of Mr. Smith's property, which is heavily wooded, and that the roof drains of the proposed addition would be directed to a new dry well, thereby decreasing the "sheet" flow toward Mr. Smith's property.

and, thus, the present public hearing is required.

Since "Churches or other buildings for religious worship" is not provided for as a permitted use or as a special exception in an R.C.4 Zone, an interpretation of Section 1A03.3.B.3 is required to determine the applicability of "Community buildings....or other uses of a civic, social, recreational, or educational nature...." to the use proposed by the petitioner by way of a special exception.

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that by reason of the decision rendered in the instant Petition for Special Hearing, the special exception should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of November, 1981, that the herein Petition for Special Exception for an addition to the existing facility for use as a community building devoted to civic, social, recreational, and educational activities be and the same is hereby DENIED.

Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE 11/16/81
BY [Signature]
ADMINISTRATIVE ASSISTANT

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHENE COLLINS
DIRECTOR

August 27, 1981

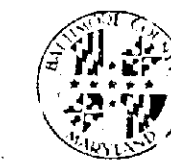
Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comment for items number 6,7,8, and 10 of ZAC meeting July 14, 1981.

[Signature]
Michael S. Manigan
Traffic Engineering Associate II

MSF/jem



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., MPH
DEPUTY STATE & COUNTY HEALTH OFFICER

September 4, 1981

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 8, Zoning Advisory Committee Meeting of July 14, 1981, are as follows:

Property Owner: Pleasant Hill Chapel, Inc.
Location: S/S Worthington Heights Parkway 600' N/E of centerline of Cuba Road
Existing Zoning: R.C. 4
Proposed Zoning: Special Exception for community building and Special Hearing to determine that an addition to the existing facility which will be utilized for community services may be defined as a "community building".

Acres: 2.88
District: 8th

The existing chapel and parsonage are presently served by one water well and sewage disposal system; both of which appear to be functioning properly.

The proposed addition will increase the usage of the facility, necessitating the installation of a new septic system to serve the chapel and its proposed addition. Soil percolation tests must be conducted prior to the installation of the new septic system and approval of a building permit for the addition. The existing topography may necessitate that the proposed septic system be equipped with sewage ejector pumps in order to reach the proposed sewage disposal field system.

If a food service facility is proposed, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, Baltimore County Department of Health, for review and approval prior to construction.

Very truly yours,

[Signature]
Ian J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

BHS:mg



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7010

PAUL H. REINCKE
CHIEF

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Pleasant Hill Chapel, Inc.

Location: S/S Worthington Heights Parkway 600' N/E of centerline of Cuba Road

Item No.: 8 Zoning Agenda: Meeting of July 14, 1981

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy. NOTE: New sanctuary shall have paving nearby for fire apparatus.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY [Signature]
Planning Group
Special Inspection Division

Noted and

Approved: [Signature]

Fire Prevention Bureau

/s/ [Signature]



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3010

TED ZALESKI JR.
DIRECTOR

July 30, 1981

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 8 Zoning Advisory Committee Meeting, July 14, 1981 are as follows:

Property Owner: Pleasant Hill Chapel, Inc.
Location: S/S Worthington Heights Parkway 600' N/E of centerline of Cuba Road
Existing Zoning: R.C. 4
Proposed Zoning: Special Exception for community building and Special Hearing to determine that an addition to the existing facility which will be utilized for community services may be defined as a "community building".

Acres: 2.88
District: 8th

The items checked below are applicable:

X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Age, and other applicable codes.

X B. A building/_____ permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required.

X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction; no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.

F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required set of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland. At least one Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 211.

X I. Comments: The proposed structure shall comply with height and area code requirements. See Table 305. Compliance to the State and BOCA Handicapped Code is required and shall be illustrated on the plan. It appears an elevator will be required to satisfy the State Handicapped Code for building accessibility.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.

If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

[Signature]
Charles E. Burman, Chief
Plans Review

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: July 9, 1981

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: July 14, 1981

RE: Item No: 6, 7, 8, 9, 10
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

[Signature]
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

IN THE MATTER OF THE APPLICATION OF PLEASANT HILL CHAPEL, INC. FOR SPECIAL EXCEPTION for an addition to be used as a community building, and FOR SPECIAL HEARING to determine if this addition can be considered a community building, and FOR VARIANCE to allow more than 10% of subject property to be covered by impervious surfaces including structures and pavement N/S Worthington Heights Parkway, 600' E. of Cuba Road 8th District

BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY No. 82-85-XSPH and No. 87-98-A

OPINION

This matter comes before the Board following a hearing before the Zoning Commissioner wherein the Petitioners requested a special exception, a special hearing and a variance from certain requirements within the Baltimore County Zoning Regulations. During the course of this petition the Baltimore County Council passed legislation that directly affects the use that is being sought under this requested special exception. Additionally, evidence was presented that specifically addressed an issue of variance that was presented before the Zoning Commissioner of which the Zoning Commissioner did not and could not have had the benefit. Finally, following hearing of this matter and following meetings between People's Counsel and Petitioners, a revised site plan was submitted by Petitioners that addresses a number of other areas and issues that were raised originally during the hearing of this matter. The Board relates these facts and the efforts of the parties as a predicate for two purposes. First, and most importantly, as an indication of their recognition of the Board's strongest and most earnest desire to support and reaffirm the stated legislative policy regarding R.C. 4 zoning in the County's attempt to protect the precious water supplies of metropolitan Baltimore and the neighboring jurisdictions by preventing contamination through unsuitable types or levels of development within the watersheds. To that end the diligence of the People's Counsel and counsel for the Petitioners in resolving the many concerns that the Board raised in our effort to support that legislative policy is greatly appreciated. It should be anticipated that scrutiny of such a nature will occur in the future regarding such environmentally sensitive

areas when such areas are presented by petition before the Board. Secondly, the Board recognizes that often only at a final administrative hearing are all issues presented and addressed, many of which could be resolved or limited by the parties without a decision by this Board. Such a practice was essential to the limiting of issues in this case and has enabled the Board to resolve this matter in a manner that we believe is beneficial not only to the Petitioners but to the neighborhood and community in which this property is located, and ultimately to the County as a whole. To that end such a practice is both welcomed and encouraged by the Board.

The evidence presented by the Petitioners indicated their simple desire to expand the existing chapel to accommodate their heightened need generated as a result of a considerable population growth in the community presently serviced by the church. Evidence by the Petitioners was very clear that the need presently exists for such an expansion. Unfortunately, due to the geographical location of the church on R.C. 4 zoned land and the logistics of its placement on the parcel owned and operated by Pleasant Hill Chapel, Inc., a number of unusual and highly unique issues were presented before the Board. Each of these will be taken separately.

Before the Zoning Commissioner the Petitioners requested a special hearing for the purpose of determining whether their proposed use fit within the definition of "community building" as could be permitted by special exception in the Baltimore County Zoning Regulations, Section 1A03.3.B.3. The Zoning Commissioner was of the opinion, and the Board agrees, that a community building is distinct from a church or other building for religious worship. Nevertheless, this issue was rendered moot before this Board following the enactment of Bill #45-82 wherein the Baltimore County Council amended those uses permitted by special exception in an R.C. 4 zone so as to specifically include "churches and other buildings for religious worship". At the hearing regarding the subject property People's Counsel admitted that the use requested by the Petitioners was for a church or other building for religious worship, and thus any question as to the Board's jurisdiction to entertain a request for special exception in this case has been overcome.

With regard to the Petitioners' request for special exception, the Board, of course, is guided by the requirements of Section 502 of the Baltimore County Zoning Regulations. It should be noted that Section 502.1 was also amended in Bill #45-82 so as to provide an even more onerous burden upon Petitioners requesting a special exception. The Board recognizes these additional requirements and considered them seriously in reaching this opinion. In support of their argument for special exception, Petitioners presented Reverend Charles Peterson, Pastor of the Pleasant Hill Chapel congregation, Mr. Nelson Wisner, Chairman of the Building Committee for the church, and Mr. John Ranocchia, a registered professional engineer. The specifics of the testimony by these witnesses will not be related in this Opinion, rather the Board will let the record speak for itself. The substance of the testimony from these witnesses, most especially Mr. Ranocchia who was qualified to present a professional opinion regarding the petition's compliance with the Zoning Regulations, was that the requirements stated in Section 502.1 of the Zoning Regulations would be met by the proposed use of the subject property in accordance with the requested petition.

People's Counsel presented Paul Solomon, an environmental planner for Baltimore County, whose expertise in watershed protection is well-known to this Board. Mr. Solomon's testimony focused on the relationship between impervious cover and pollutants at or near critical parts of the watershed. Most specifically Mr. Solomon addressed those requirements found in Section 1A03.4.B.5 of the Baltimore County Zoning Regulations which require no more than ten percent of any lot in an R.C. 4 zone to be covered by impermeable surfaces and no more than twenty-five percent of the natural vegetation to be removed from any lot in an R.C. 4 zone.

Upon the basis of Mr. Solomon's testimony, Petitioners requested that the hearing be continued for the purpose of submitting a revised site plan that would address the points raised by Mr. Solomon as well as other evidence regarding Section 1A03.4.B.5. Amongst the evidence later presented by the Petitioners was a Deed of Easement dated September 15, 1982, between Lester N. Robinson and Doris E. Robinson, adjacent property owners to the Pleasant Hill Chapel, as Grantors and Pleasant Hill Chapel as Grantee.

Under said grant Pleasant Hill Chapel is permitted an easement of 4.97 acres owned by the Robinsons for use by the church for church purposes, reserving unto the Robinsons the right to use said premises for general farming purposes but not as to interfere with church uses, provided however that the parcel will not be improved under any circumstances by an impervious surface. Such parcel of land granted by a perpetual easement (subject to further order of the County Board of Appeals as provided in said easement), in addition to the existing 2.88 acres of property under the subject petition, totals sufficient acreage such that the total improvements as anticipated by the petition for special exception meet the requirements of Section 1A03.4.B.5 to the satisfaction of the Board under these most unusual of circumstances. This easement, together with the amended site plan revised latest on October 5, 1982, enabled Mr. Solomon to conclude in a memorandum to People's Counsel, "I am satisfied that, if these features are designed, maintained, and constructed properly, there will be no adverse water quality impact from the proposed addition to Pleasant Hill Chapel." Said memorandum, dated October 8, 1982, the original of which was presented to the Board by counsel for the Petitioners will be marked by the Board as an exhibit in this petition.

Based on the evidence described above and testimony elicited at the hearing, the Board is of the opinion that the requirements of Section 502 have been met and that the special exception should be granted, subject to the restrictions contained in the following Order.

Additionally presented at the hearing was evidence that the existing chapel is 29 feet from the rear property line and thus a variance from the 50 foot setback requirement was requested by the Petitioners. Based upon the evidence presented at the hearing, the Board is of the opinion that strict compliance of this setback requirement would result in practical difficulty and unreasonable hardship to the Petitioners, and that in granting such a variance to permit a rear yard setback of 29 feet is in harmony with the spirit and intent of the Zoning Regulations and that such a variance will not substantially injure the public health, safety and general welfare.

Finally, an issue was raised as to the proposed height of the petitioned church expansion. Section 1A03.4.A indicates that no structure erected in an R.C. 4 zone shall exceed a height of 35 feet. Section 300.2, however, provides an exception to this requirement which permits buildings for religious purposes to be built to a height of 50 feet in any zone in which they are permitted. Petitioners have submitted a site plan that indicates a total height of no greater than 48 feet and will, therefore, be limited to such height based upon the Board's approval of the special exception within the terms, restrictions and conditions of the amended site plan.

All issues and matters presented, heard and considered by the board, we make the following Order.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 16th day of November, 1982, by the County Board of Appeals, ORDERED that the issue as to the special hearing wherein the Zoning Commissioner of Baltimore County defined "community buildings" having been obviated by the enactment of Bill #45-82, the Board restrains from deciding as that issue is now moot; and it is

FURTHER ORDERED that the special exception petitioned for be and the same is hereby GRANTED/subject to those terms, conditions and restrictions stated in the amended site plan, revised most recently October 5, 1982, and contingent upon the perpetual maintenance of such terms, conditions and restrictions without limitation. Additionally, such special exception is granted only so long as the Deed of Easement of September 15, 1982, between Lester N. Robinson and Doris E. Robinson and Pleasant Hill Chapel, Inc. is not limited or restricted in any manner, or until extinguished in part or in whole by a later Order of the County Board of Appeals, as provided in the Deed of Easement. Such special exception is further restricted to a height of forty-eight (48) feet, and it is

FURTHER ORDERED that the variance petitioned for to permit a rear yard setback of twenty-nine (29) feet in lieu of the fifty (50) foot setback requirement be and

the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Rules 8-1 thru 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Keith S. Franz, Acting Chairman

Joanne E. Suder

William R. Evans

THIS DEED of easement made this 15th day of August,

1982, by and between Lester N. Robinson and Doris E. Robinson, his wife, hereinafter referred to as Grantors, and Pleasant Hill Chapel, a religious corporation incorporated under the laws of the State of Maryland, hereinafter referred to as Grantee.

RECITALS

The Grantors and Grantee are adjoining property owners in the Eighth Election District of Baltimore County. The Grantors desire to grant and assign unto Grantee an easement, or right of use, in a 4.97 ± parcel owned by Grantors and contiguous to Grantee's property, and Grantee is willing to accept said parcels subject to the provisions more fully set forth herein. Pleasant Hill Chapel has applied for a variance from the provisions of the Baltimore County Zoning Regulations pertaining to the required impermeable surface coverage in an R.C. 4 zone in connection with a proposed addition to the existing church, Pleasant Hill Chapel, Petitioner, Zoning Case Nos. 82-85-XSPH and 82-98-A. A hearing was held before the County Board of Appeals of Baltimore County on Thursday, April 29, 1982, and Thursday, May 6, 1982. Following that, Pleasant Hill Chapel and the People's Counsel for Baltimore County, participants in the aforesaid case, considered it appropriate to resolve said case by agreement. As part of this agreement, Pleasant Hill Chapel has agreed to acquire an easement interest in contiguous land for the purpose of preserving permeable surface on sufficient land to assure compliance of the proposed church addition with the pertinent regulation ECCR 1A03.4B5. It has been determined that an easement of 4.97 acres will suffice to assure that the proposed addition meets the 10% maximum limit of impermeable surface coverage required by law. The location and description of the Pleasant Hill Chapel property, together with the location and description of this easement are described graphically on the plat attached hereto. The calculations pertaining to the impermeable surface coverage limits and regulations as applied to Pleasant Hill are more fully set forth on the attached plat. The parties to this easement agreement, and the People's Counsel for Baltimore County, intend that this easement preserve the property described herein as permeable surface until further Order of the Board of Appeals of Baltimore County. The parties to this agreement acknowledge and agree that no modification of this easement agreement or alienation of the described property shall occur without further Order and approval of the County Board of Appeals of Baltimore County. The provisions of this agreement may be enforced by duly authorized public officials and/or interested persons.

NOW THEREFORE,

IN CONSIDERATION of a gift, the said Grantors grant and assign unto Grantee, its successors and assigns, an easement to use the hereinbefore described parcel for all legitimate church purposes, reserving however unto the Grantors, the right to use said parcel for general farming purposes so as not to interfere with church uses in the following parcel, provided however neither the Grantors nor Grantee will at any time cover any of said parcel with any hard or substantially impervious surface:

BEGINNING for the same at an iron pipe heretofore set at the beginning of the second or North 66 degrees 20 minutes West 360-foot line of the firstly described parcel of land in the Deed from John L. Bosler and Jeanne Bosler, his wife, to Lester N. Robinson and Doris E. Robinson, his wife, dated February 29, 1960 and recorded among the Land Records of Baltimore County in Liber M.T.R. No. 3676 page 179, said point being also situate at the end of the second or South 05 degrees 18 minutes West 507.20-foot line of land which by Deed dated September 8, 1954 and recorded among the Land Records of Baltimore County in Liber C.L.B. No. 2551 page 415 was conveyed by Harry J. Wopman and Louise Wopman, his wife, to James G. Naylor and Anna Naylor, his wife; thence leaving said point of beginning and running with and binding along said second line of the firstly hereintentioned Deed, as surveyed by James Crockett Associates on May 5, 1965, North 55 degrees 26 minutes 40 seconds West 360.00 feet to an iron pipe set at the end of said second line; thence running with and binding along a part of the third line of said Deed, as surveyed by the before-mentioned surveyor, South 04 degrees 40 minutes 30 seconds West 279.93 feet to an iron pipe set at the point of intersection of said third line with the fifth or South 88 degrees 45 minutes 10 seconds West 405.91-foot plus or minus line of a parcel of land which by Deed dated July 15, 1955 and recorded among the Land Records of Baltimore County in Liber C.L.B. No. 2736 page 27 was conveyed by Homer C. Wadsworth to Pleasant Hill Chapel; thence leaving the outlines of said firstly hereintentioned parcel, conveyed by Bosler to Robinson and running with and binding along a part of said fifth line, as surveyed by the before-mentioned surveyor North 88 degrees 45 minutes 10 seconds East 97.12 feet to an iron pipe now set at the beginning of said fifth line and also at the end of the second or North 67 degrees 12 minutes West 278.83-foot line of a parcel of land which by Deed dated July 11, 1949 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1810 page 405, was conveyed by Sherwood Dickinson, et al, to Frances P. Bailey, et al; thence binding reversely along said line South 67 degrees 12 minutes 00 seconds East 278.83 feet to an iron pipe set by James Crockett Associates at the beginning of said second line and in the centerline of a private right of way, 40 feet wide, as described in said last hereintentioned Deed; thence leaving the outlines of said last mentioned Deed and binding reversely along the third or North 66 degrees 17 minutes 10 seconds West 254.61-foot line of a parcel of land which by Deed dated September 22, 1948 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1689 page 296 was conveyed by Sherwood Dickinson and wife to Stephen C. Arnold; said line also being the fifth or South 66 degrees, 17 minutes 10 seconds East 231.94-foot line described by James Crockett Associates

in the before-mentioned survey dated May 5, 1965, South 66 degrees 17 minutes 10 seconds East 30.00 feet, thence leaving the last mentioned line and running the following two courses and distances: (1) North 42 degrees 41 minutes 00 seconds East 236.66 feet and (2) South 66 degrees 57 minutes 30 seconds East 100.00 feet to intersect the centerline of Hillside Drive, said centerline also being the line as described in the before-mentioned survey by James Crockett Associates; thence running with and binding along said line North 07 degrees 47 minutes 00 seconds East 317.42 feet to the north side of a 40-foot right of way known as Evergreen Drive and foot line of the before-mentioned Deed from Harry Wopman and wife to James G. Naylor and Anna Naylor, his wife; thence leaving said centerline of Hillside Drive and binding reversely along said third line in the Deed to James Naylor and also along the second line of the secondly described parcel and the last line of the firstly described parcel binding along the north line of the firstly hereintentioned Deed to Lester Robinson, and also binding along the north side of the before-mentioned 40-foot right of way, as surveyed by the before-mentioned surveyor, North 66 degrees 57 minutes 30 seconds West 662.40 feet to the point of beginning; containing 4.97 acres more or less, as more fully shown in the attached plat captioned plat to accompany description 4.97 acre ± restriction easement for Pleasant Hill Chapel. Scale 1" = 100', 8th Election District, dated July 16, 1982.

Being a portion of the same lot or parcel of ground described in a Deed from John L. Bosler and Jeanne Bosler, his wife, to Lester N. Robinson and Doris E. Robinson, his wife, dated the 29th day of February, 1960, and recorded among the Land Records of Baltimore County in Liber M.T.R. No. 3676, page 179.

TOGETHER with the buildings and improvements thereupon erected made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or anyways appertaining.

TO HAVE AND TO HOLD the aforesaid easement above described and mentioned and hereby intended to be granted together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Pleasant Hill Chapel, its successors or assigns for use as church purposes, reserving unto the Grantors the right to use said premises for general farming purposes so as not to interfere with church uses, provided however that said parcel will not be improved by an impervious surface.